SHRI JIBON ROY:The Standing Committee scrutinised this Bill in detail, and it made a number of recommendations, unanimous recommendations; I am not talking about the note of dissent. But the Government ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Now, we are delaying more.

SHRI JIBON ROY : The Government has not incorporated more than 80 per cent of the unanimous recommendations. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: You can speak. Your name is there. ...*(Interruptions)*...

SHRI JIBON ROY : No. ...*(Interruptions)*... I want to know, through you, from the Minister the reason behind it. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Not, now. ...*(Interruptions)*... Let the Minister move the motion.

SHRI JIBON ROY : Why are unanimous recommendations not accepted?

THE DEPUTY CHAIRMAN: I gave a commitment to the House that at 3.30 p.m. I would start it, and it is exactly 3.30 p.m. Now, the Minister may move the motion.

THE ELECTRICITY BILL, 2003

विद्युत मंत्री (श्री अनन्त गंगाराम गीते) : उपसभापति महोदया, मैं यह प्रस्ताव करता हूं कि -

> "विद्युत के उत्पादन, प्रेषण, वितरण, व्यापार और उसके उपयोग और साधारणत: विद्युत उद्योग के विकास, उसमें प्रतिस्पर्धा के संवर्धन, उपभोक्ताओं के हित के संरक्षण, और सभी क्षेत्रों में विद्युत के प्रदाय के सहायक उपाय करने, विद्युत टैरिफ के सुव्यवस्थीकरण, साहायकियों के बारे में स्पष्ट नीतियों, दक्षतापूर्ण और पर्यावरण के अनुरूप नीतियो के संवर्धन, केन्द्रीय विद्युत प्राधिकरण, विनियामक आयोगो का गठन और अपील अधिकरण की स्थापना से

संबंधित विधियों का समेकन और उनसे संबंधित और उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक पर, लोक सभा द्वारा पारित रूप में, विचार किया जाए।"

उपसभापति महोदया, ऊर्जा के क्षेत्र में यह विधेयक एक क्रांतिकारी कदम है। इस विधेयक के पारित होने के बाद भारतीय बिजली अधिनियम, 1910, भारतीय विद्युत आपूर्ति अधिनियम, 1948 और विद्युत विनियामक आयोग अधिनियम, 1998 - ये तीन कानून जो आज विद्यमान हैं, ये तीनों ही निरस्त हो जाएंगे। इस विधेयक पर 8 और 9 तारीख को लोक सभा में चर्चा हो चुकी है और लोक सभा मे पारित होने के बाद आज राज्य सभा में इस विधेयक पर हम चर्चा करने जा रहे हैं।

महोदया, चाहे घरेलू उपयोग करने वाला गरीब हो, चाहे कृषि पर निर्भर करने वाला किसान हो, चाहे उद्योग जगत में काम करने वाला उद्योगकर्मी हो या व्यापार क्षेत्र में अपने व्यापार को चलाने वाला व्यापारी हो - इन सभी का ऊर्जा से सीधा संबंध होता है। आज देश में ऊर्जा की जो स्थिति है, मैं इस सदन को उसके बारे में संक्षेप मे अवगत कराना चाहूंगा। आज हमारी ऊर्जा निर्माण की जो क्षमता है, वह 1,07,000 मेगावॉट की है। जो नारा हमने लगाया है कि "2007 तक हर गांव में बिजली और 2012 तक घर-घर में बिजली", यह जो लक्ष्य हमने तय किया है, इस लक्ष्य को पूरा करने के लिए आने वाले दस वर्षों में एक लाख मेगावॉट अतिरिक्त ऊर्जा का निर्माण करने की आवश्यकता है। एक लाख मेगावॉट ऊर्जा के निर्माण के लिए जो धन की आवश्यकता है और आज जो हमारी ऊर्जा निर्माण करने की दर है, वह प्रति मेगावॉट लगभग 4 करोड़ हैं। इसका अर्थ यह है कि एक लाख मेगावाट के लिए हमें ऊर्जा निर्माण के लिए चार लाख करोड़ की आवश्यकता है और फिर पारिश्रम, वितरण और जो आम उपभोक्ता है, उस आम उपभोक्ता तक बिजली पहुंचाने के लिए और चार लाख करोड़ की आवश्यकता है। लगभग आठ लाख करोड़ की आवश्यकता है, हमारे लक्ष्य को पूरा करने के लिए और 2012 तक हर घर में बिजली पहुंचाने के लिए। महोदया, सदन इस बात से अवगत है कि आज भी लगभग 80 हजार गांव ऐसे हैं जिनको हम अभी तक बिजली नही दे पाए हैं। जिन का गांवों को हमने बिजली दी है, जब हम कहते हैं कि गांव में बिजली आ गई है, गांव विद्युतीकरण हो गया है तो उसकी जो परिभाषा है उस परिभाषा के तहत यदि गांव मे एक दीया भी जल जाता है, एक बल्ब जल जाता है तो हम मानते हैं कि गांव का विद्युतीकरण हो गया। इसलिए मैं वास्तविकता से सदन को अवगत कराना चाहता हूं इस विधेयक पर चर्चा करते समय, इस विधेयक के महत्व को जानते हुए कि आज भी हम गांव के पचास प्रतिशत ही लोगों को बिजली दे पाए हैं। महोदय, यह ऊर्जा केन्द्र और राज्य सरकार दोनों का विषय है। ऊर्जा के निर्माण मे केन्द्र भी है, राज्य भी है। इस क्षेत्र में निजी क्षेत्र भी है और वितरण की लगभग सारी जिम्मेदारी राज्यों के ऊपर है। मैं सदन को यह विश्वास दिलाना चाहूंगा कि जो विधेयक लोक सभा से पारित होकर आज इस सदन मे आया है, इस विधेयक में जो आम उपभोक्ता है उस उपभोक्ता को प्राथमिकता दी गई है। आम आदमी की यह मांग होती है कि हमे बिजली मिले। अच्छी बिजली मिले और सस्ती बिजली मिले, मांग पर मिले और समय पर मिले। आज देश के लगभग सभी राज्यो मे बिजली की, ऊर्जा की कमी है। इसलिए जो हमने लक्ष्य निर्धारित किया है उस लक्ष्य के संदर्भ में मैंने इस सदन को अवगत कराया है। इसलिए आवश्यकता है कि उस लक्ष्य को पूरा करने के लिए केन्द्र सरकार, राज्य

सकार, सहकारिता, निजी क्षेत्र इन सबका सहयोग हो। साथ ही साथ देशी और विदेशी निवेश की भी आवश्यकता है। महोदया, आज देश के लगभग सारे विद्युत राज्य बोर्ड घाटे में हैं और इन राज्य विद्युत बोर्डों का कुल घाटा लगभग 30 हजार करोड़ के बराबर है। ये राज्य विद्युत बोर्ड घाटे मे क्यों हैं, मैं इसके इतिहास में नहीं जाना चाहूंगा। लेकिन इन राज्य विद्युत बोर्डों की स्थिति को सुधारने की आवश्यकता है। राज्य विद्युत बोर्ड घाटे में होने से उसका सीधा असर राज्य सरकारो की वित्तीय व्यवस्था पर पड़ रहा है। इसलिए राज्य सरकारें भी राज्य विद्युत बोर्डों को सहयोग करने में, सहायता करने मे असफल हो रही हैं । इस विधेयक के माध्यम से हम ऊर्जा निर्माण के क्षेत्र को डिलाइसेंस करने जा रहे हैं ताकि ऊर्जा के निर्माण मे यहां निवेश हो, निजी क्षेत्र में हो, सहकारिता में हो, कैप्टिव पावर प्रोजेक्ट हों और यह सारा इस क्षेत्र में लगे। इस विधेयक के माध्यम से हम पारेषण में ओपन एक्सेस देने जा रहे हैं क्योंकि जब हम चाहते हैं कि हमें एक लाख मेगावाट अतिरिक्त ऊर्जा का निर्माण करना है, साथ ही राज्यों की जो वित्तीय स्थिति है और भारत सरकार की या हमारे जो पी0एस0यू0 हैं, उन की भी अपनी एक मर्यादा है, इन सारी मर्यादाओं को देखते हुए हम चाहते हैं कि ऊर्जा निर्माण के क्षेत्र में निजी क्षेत्र को आमंत्रित करने की आवश्यकता है और निजी क्षेत्र इसमें निवेश करे, देशी-विदेशी निवेश इसमें हो । अब यदि कोई निजी संस्था, निजी व्यक्ति या निजी कंपनी जो ऊर्जा के क्षेत्र में निवेश करना चाहे वह करे। उपसभापति महोदयां, आप जानती हैं और सदन भी जानता है कि जिस प्रकार की हमारी भौगोलिक रचना है, जब हम जल विद्युत के बारे में सोचते हैं तो पाते हैं कि उत्तर के राज्यों, उत्तर पूर्व के राज्यों और हिमाचल वगैरह में जल विद्युत के काफी अवसर हैं । लेकिन दक्षिण में कहीं भी जल विद्युत प्रोजेक्ट्स के लिए अवसर नहीं है । फिर यदि हम थर्मल पावर निर्माण के बारे मे सोचते हैं तो लगभग हमारी सारी कोल माइंस पूर्व के राज्यों की ओर हैं, दक्षिण या पश्चिम में कोल माइंस नहीं हैं। तो थर्मल पावर प्रोजेक्ट वहीं पर लगेंगे जहां पर कोल माइंस हैं । यदि हम थर्मल पावर प्रोजेक्ट गैस बेस्ड करना चाहते हैं या अब नेप्था बेस्ड चल रहा है या एल0एन0जी0 को यूज करें - उपसभापति महोदया यह सारा आ रहा है, लेकिन देश मे गैस की कमी है, हमें गैस या फ्लुअड इम्पोर्ट करना पड़ रहा है, ज्यादातर समुद्री तट पर जहां कि इस का यातायात करना सस्ता है, फ्युअल को विदेश से लाना सस्ता है, तो ज्यादातर थर्मल पावर प्रोजेक्ट्स जहां पर कोल माइंस हैं या समुद्र तट है वहां पर लगाना संभवतः उचित होगा ताकि ट्रांसपोर्टेशन में खर्चा कम हो और जो ऊर्जा निर्मित हो उस की दर भी सस्ती हो । इसलिए उत्तरी राज्य में यदि कोई निजी क्षेत्र चाहे वह अपना प्रोजेक्ट लगा सकता है । महोदया, आज जल विद्युत के लिए हिमाचल में काफी क्षमता है; लेकिन वहां यदि बिजली निर्माण होती है तो हिमाचल को आज उस की आवश्यकता नहीं है । हिमाचल बिजली के क्षेत्र में सरप्लस है, इसलिए यह आवश्यक होगा कि हिमाचल में जो ऊर्जा का निर्माण होगा, उसे हमें दक्षिण, पश्चिम या मध्य की ओर ले जाना होगा । अब जो संस्था या व्यक्ति इस क्षेत्र में निवेश करना चाहेगा वह पारेषण के मामले में किसी पर निर्भर होना पसंद नहीं करेगा । वह चाहेगा कि पारेषण की व्यवस्था हो । इस विधेयक के अंदर हम ने वितरण के क्षेत्र में भी ओपन एक्सेस की बात की है । एक ही क्षेत्र के अंदर यदि वितरण एक संस्था कर रही है और यदि कोई दूसरी संस्था या कंपनी वहां पर आना चाहे तो आ सकती है । इस तरह से एक प्रकार से आज जो आम उपभोक्ता की मांग या आम उपभोक्ता की जरूरत है, उस जरूरत को पूरा करने के लिए जो कानूनन सुधार की आवश्यकता है । इन सब को निश्चित रूप में इस विधेयक में लाने का प्रयास किया गया है। इस बात से मैं बिल्कुल सहमत हूँ कि कोई भी कानून परिपूर्ण नहीं हो सकता या सर्वसमावेशक नही

हो सकता, शायद उसमें त्रुटियां रह सकती हैं। जब कानून लागू होगा तो लागू करने के बाद अलग अलग अनुभव हमारे सामने आते हैं और इसलिए हम कई बार सदन में, संसद में संशोधन लेकर आते हैं। मैं सदन को आश्वस्त करना चाहूंगा कि देश की मांग को नजर में रखते हुए राष्ट्र के हित में, जनता के हित में, हमारे किसानों के हितों की रक्षा के लिए, आम उपभोक्ता के हितों की रक्षा के लिए यदि आवश्यकता हुई तो इस विधेयक को पारित करने के बाद भी हम संशोधन ला सकते हैं, हम संशोधन कर सकते हैं। सरकार की यह मंशा है। सरकार इस संदर्भ में किसी भी बात में प्रतिष्ठा का मामला नही बनाना चाहती। इसलिए जब हम यह विधेयक यहां पारित करने जा रहे हैं, पुराने तीनों कानूनों को निरस्त करने जा रहे हैं, आने वाले सौ, पचास सालों के लिए हम यह कानून बनाने जा रहे हैं, कोई जल्दबाजी की आवश्यकता भी हम इसमें महसूस नहीं करते और इसलिए हम चाहते हैं कि इस पर चर्चा हो। जो भी सुझाव चर्चा में आएंगे, उन सुझावों पर निश्चित रूप से विचार किया जाएगा।

उपसभापति महोदया, यहां पर काफी ऐसे माननीय सदस्य हैं; जो इस विषय में, ऊर्जा के क्षेत्र मे रुचि रखते हैं, जो जमीन से जुड़े हुए हैं, अपने अपने क्षेत्र की समस्याओं से अवगत हैं, जो यहां की वितरण की व्यवस्था है उससे अवगत हैं, जिन राज्यों मे निजीकरण हुआ है वहां की स्थिति से अवगत हैं कि निजीकरण से क्या फायदा हुआ है या निजीकरण से क्या नुकसान हुआ है, हमने राज्य विनियामक आयोगों का गठन किया है; उन आयोगों के गठन के बाद हमारे ऊर्जा के क्षेत्र मे कहीं सुधार आया है, कुछ फायदे हुए हैं या नही, उनसे अवगत हैं और ये सारे प्रश्न निश्चित रूप से सभी माननीय सदस्यों के मन मे हैं। इस विधेयक में यह प्रयास किया गया है कि देश का जो आम उपभोक्ता है, वह चाहे घरेलू काम के लिए इसका उपयोग करे या चाहे कृषि के लिए उपयोग करे, चाहे उद्योग के लिए उपयोग करे, चाहे व्यापार के लिए उपयोग करे, उस उपभोक्ता को नजर मे रखते हुए इस विधेयक को सरकार ने लाने का प्रयास किया है। इसे लोकसभा ने पारित कर दिया है।

उपसभापति महोदया, मैं ज्यादा समय सदन का नही लूंगा, लेकिन इस विधेयक पर आज हम यहां चर्चा करने जा रहे हैं, मैं प्रार्थना करुंगा कि यदि आज ही इसे पारित कर दिया जाए तो अच्छा होगा। इसमें जो भी सुझाव आएंगे उन सुझावों पर निश्चित रूप में विचार किया जाएगा। आप जो भी यहां पर सुझाव देंगे, जो भी अमेंडमेंट देंगे या जो भी प्रश्न आप यहां पर उपस्थित करेंगे, उन सारे प्रश्नों का उत्तर देने का प्रयास निश्चित रूप में होगा और यह प्रयास केवल प्रश्नों का उत्तर नही होगा। उत्तर के साथ साथ जो आवश्यक बदलाव की आवश्यकता होगी तो निश्चित रूप में उस बदलाव को भी लाया जा सकता है। तो, मैं माननीय सदन से यह प्रार्थना करता हूँ कि निश्चित रूप मे इस विधेयक पर आप चर्चा भी करें और इसे पारित करने में भी हमें सहयोग करें। बहुत बहुत धन्यवाद ।

The question was proposed.

THE DEPUTY CHAIRMAN: Shri Kapil Sibal. Your Party has 54 minutes. There are four speakers. I will be happy if you divide your time accordingly.

SHRI KAPIL SIBAL (Bihar): Madam Deputy Chairman, I thank you for giving me this opportunity to participate in the discussion on this most momentous Bill. Madam, I do believe that this is one of those pieces of legislation which breaks away from the past, a piece of legislation which is consistent with the dreams of this nation and which is to move forward the economy of this country. As you know, Madam, in the Tenth Plan, we hope to achieve a growth rate of eight per cent. Consistent with that, in the context of achieving that growth, unless we achieve a growth rate of 12 per cent in the industrial sector, we will not be able to achieve the overall growth rate of eight per cent. In order to achieve that growth rate of 12 per cent in the industrial sector it is imperative that there is adequate generation of electricity; there is consistent supply of electricity; that the generation capacities be expanded; and, competition becomes the *mantra* on the basis of which, ultimately, the consumer is benefited. I do believe, Madam, that this Bill, that is, the Electricity Bill, 2003, moves in that direction. And, on behalf of the Congress Party I stand here to ensure that it is passed. Madam, we must look at the realities of today. At the time of Independence, we had an installed capacity of 1,362 MWs. And, today, as the hon. Minister has pointed out we have a capacity of 1,07,000 MWs. Though, over the years 500, thousand villages have been electrified, yet there are still more than 80,000 villages that do not have electricity. Despite all these achievements since Independence, the fact of the matter is - and, that is the ground reality - that the per capita annual consumption is a miserly 350 kilowatt-hours, which is almost the lowest in the world. A great nation, like ours, for which we had dreams, has not been able to supply electricity to the poor in the villages. We have not been able to supply electricity in a manner that we wish to the end-users of electricity - to households, farmers, commercial establishments, industries, and all these end-users are confronted with frequent power-cuts, erratic voltage, low and high supply frequencies. All this has added to the woes of the ultimate consumers. And, the reasons for this are quite, quite clear to all of us. I think, we have to approach this issue in a bipartisan manner. I think, there are some things where we have to stand above party lines and move the country forward. The reasons are quite clear. I will just set out eight of them - one, inadequate power generation capacity; two, lack of optimum utilization of existing generation capacity; three, inadequate inter - regional transmission links; four, inadequate and ageing sub-transmission and distribution network, leading to power cuts and local faults; five, large - scale theft and a skewed tariff structure; six, slow pace of rural

electrification; seven, inefficient use of electricity by the end-consumer; and, the last, lack of grid discipline. These are the ills that are confronting our sector. The fact of the matter is that there was, in the year 2000-01, a total energy shortage of 39,816 million units. There was also a peak shortage, in the same year, of 10,157 MWs, which is 13 per cent of the peak demand. If we have to achieve the generation of another 1,00,000 MWs by the year 2012, we need to open up this sector in a very big way. We need to plan, develop and build 30,000 MWs of inter-regional transmission capability by 2012. And we need to have a National Grid which will improve reliability, quality, and will take care of the economics of power supply. We don't want, Madam, a repetition of the incident of January 2nd, 2001, when there was a failure in the Northern Grid, which led to certain consequences. We also, Madam, at the same time, must ensure that consumers pay for the electricity that is generated. At this point of time, the average cost of supply is 304 paise per unit, and the average revenue per unit is only 212 paise; so, for every unit of electricity supplied, there is a gap of 92 paise per unit, which is unacceptable. The Minister has already pointed out the kind of losses that Electricity Boards suffer. I think, the annual losses are Rs. 26,000 crores; something to that effect. Despite the fact that we have now a scheme of securitisation which the Finance Minister has now taken forward by saying that bonds will be issued, I do believe that unless we open up the sector, we will have more State Electricity Boards which will go sick in the future unless this particular reform is not put in place.

So, therefore, with these words, Madam, I support this Bill wholeheartedly. But, having said that, I don't think that this Bill seeks to achieve entirely the objectives, which it has set out to achieve. The Minister rightly pointed out that we need open access. What does 'open access' mean? It means that from the generating station to the grid, there is competition. Open access means that the generation of electricity is open to everybody. Open access means that from the grid when the electricity is supplied to the consumer, there is competition. There is competition, therefore, at all levels. And we are happy that that's the principle on the basis of which this Bill is being enacted. But when you look at some of the provisions of this Bill, we find that some of the concepts of open access' have been given a go by. I will just give one small example. If we want open access, then, this Bill must ensure that this must be achieved as a national priority within a time-frame. That is very important. If you leave it

4.00 P.M.

to the State Commissions, if you leave it to the State Governments, you will not have the kind of integrated development of electricity supply that we need to take this nation forward. I was reading clause 42 (2) of the Bill, which is at page 21. This is what it says - and I was a little disturbed - I quote: "the State Commission shall introduce open access in such phases and subject to such conditions, as may be specified within one year of the appointed date by it and in specifying the extent of open access in successive phases and in determining the charges for wheeling, it shall have due regard to all relevant factors including such cross subsidies, and other operational constraints." So, though the hon. Minister has talked about open access, the fact of the matter is that in clause 42 (2) what is stated is that the issue of the extent and the phases in which open access, will, in fact, be brought about will happen one year from today. That is, the State Commission will introduce it in phases within one year of the appointed date. Now, we cannot leave it to the State Commission, because if you are going to leave it to the State Commissions, you might as well not introduce this Bill, and have it passed, because each State Commission will decide on its own as to when open access will come to the energy sector. This, Madam, is directly contrary to the unanimous recommendation of the Standing Committee. I invite the attention of the hon. Minister to page 142 of the recommendations. This is what the recommendation says: "The Committee feel, the provision of open access is key to power sector reforms, particularly, on distribution. However, due to different ground realities in each State, it may not be possible to do so from an appointed date. The Committee, however, recommend that open access may be introduced in a phased manner within a definite time-frame." Why the Government did not accept this recommendation of the Standing Committee, I do not know. But with the stirring speech that the hon. Minister has given in his opening Address, I have absolutely no doubt that in his reply, he will indicate what term will be stipulated in the Monsoon Session when the Act may come up for amendment to ensure that open access is achieved within a particular time frame, I request the hon. Minister to take that into consideration. I have personally suggested that we can give a time frame of three years, extendable to five years in its outer limit, this will give enough notice to all the State Governments, all the State Electricity Boards, all the State Commissions, that 'this is the time frame within which you are obliged to act.' And, the Minister knows that once this

is stated in a Parliamentary statute, it means that this must be abided by all the State Governments.

There is another aspect, Madam, that I am a little concerned about and that also relates to open access. I would like to draw the attention of the hon. Minister to that. I refer to clause 14 of the Bill which relates to grant of licence. The hon. Minister said, and rightly so, that we need to open up this sector, and, therefore, any number of generating companies can be set up, any number of distribution companies can be set up. Unfortunately, I find in the sixth proviso to clause 14 that when there is an existing licensee and another licensee wants to enter the field then, the appropriate Commission can allow the grant of another licence "by complying with additional requirements including the capital adequacy, creditworthiness or Code of Conduct, as may be prescribed by the Central Government." In other words, if a licensee in a State wants to enter the field of distribution of electricity, it can be subjected to additional requirements including what are set out in the sixth proviso and these will be imposed by the Central Government. Madam, nowadays, in a growing liberal economy, there are a lot of power centres that grow up around the executive. I am afraid of what this will do, if this is continued in its present form. It will encourage private monopolies, because a licensee, already in place, will not allow another licensee to come in and will persuade the Central Government - I am not making any accusation, but there is that fear - to impose additional conditions of whatever nature they like to ensure that another licensee does not come and compete. We do not want this to happen. We want this reform process to move forward. Therefore, I, again, request the hon. Minister that the word 'including' in the sixth proviso should be removed and the conditions relating to credit- worthiness, capital adequacy are sufficiently adequate to ensure that only proper entities will come and apply for licences, and that, certainly, the Central Government cannot do. So, I do believe that the hon. Minister in his response will give an assurance to the House that this will happen in the Monsoon Session so that open access is put in place, as quickly as possible. I might just add for the record that at page 81 of the recommendations of the Standing Committee, the Standing Committee had itself stated this and I quote: "The Committee desires that distribution and transmission too should have open access and subjected to non-discriminatory open access within a mandated timeframe." 'Non-discriminatory open access' means access on the same terms and conditions as apply to an original licensee. So, therefore, this is

consistent. What I have suggested is consistent with the unanimous recommendations of the Standing Committee. I have finished with the concept of open access.

I come to another issue, Madam, which is also exceptionally important. As we are moving towards open access in the electricity regime, - Why in the electricity regime alone? In all other regimes, whether it is telecommunications, or, other regimes, - as we are moving towards greater competition, greater transparency, we naturally need independent regulators to be in place so that whatever disputes that might arise amongst generating companies, or, other disputes that might arise are resolved by independent regulators. And, therefore, Madam, it is very important that these independent regulators should not be subjected to any control. That is vital. Independent regulators should not be under the control of the Executive, independent regulators should not be subjected to the superintendence of any other authority. Madam, what concerned me about this Bill was a provision, which is clause 121 of the Bill, and, I will read it for the benefit of hon. Members of this House. It says, "The Chairperson of the Appellate Tribunal shall exercise general power of superintendence and control over the appropriate Commission." In other words, the Chairperson of an Appellate Tribunal who will happen to be a retired Judge of the Supreme Court of India will be sitting in Delhi and exercise general powers of superintendence and control over appropriate Commissions throughout the country, this is a proposition unacceptable to the regime, to a regime which is committed to transparency, it is unacceptable to a regime which is committed to opening up any sector of the economy. A regulator, if he is to be true regulator, must be truly independent, and not subject to any such control. And, I might just add that such a provision is unknown to any other statute in this country. I have not seen a single statute, whether it is in the telecom sector or any other sector which has such an omnibus position. I, therefore, request the hon. Minister again that this provision should be deleted. There is no need for this. If a regulator does anything which is contrary to the terms of the statute, there are courts to take care of it. There are appropriate forums in which the grievances of anybody can be redressed, grievances of any affected party can be redressed. But we do not want a retired Judge of the Supreme Court to have some general power of superintendence and control, for that would create a power centre which is also away from the Executive, which is far more dangerous. That, Madam, is my suggestion, and, I do hope that the hon. Minister will give some kind of an assurance in respect of this.

Madam, what is consistent with the concept of independence of regulators is that members who are part of the Commission and members who are part of the Tribunal should have a fixed term. That is also very important. I am afraid that we are and we have been developing in the past in other sectors a kind of custom in which members, be they retired Judges of courts, are appointed to these forums, and then they are re-appointed to these forums. I do not think, Madam, that that is a healthy practice. If you want a truly independent regulator, there should be no power of re-appointment because that is a carrot which the regulator might want to bite. In this Bill itself as far as the provisions relating to the appointment of members of the Commission are concerned, there is a fixed term. So, we have no problems with that. But, when you come to the Tribunal, the Bill provides that a person is appointed for a period of three years; and can be re-appointed for another period of three years. And that, Madam, for the benefit of the Minister, I might point out, is set out in Clause 114 of the Bill. It says, "The Chairperson of the Appellate Tribunal or a Member of the Tribunal shall hold office as such for a term of three years from the date on which he enters upon his office. Provided that such Chairperson or other Member shall be eligible for reappointment for a second term of three years." This provision is absent as far as the State Commissions are concerned and you will find that at Clause 89. It says, "The Chairperson or other Member shall hold office for a term of five years from the date he enters upon his office." And that is a fixed term. There is no question of reappointment. So, I wondered why as far as the Tribunal is concerned and Members of the Tribunal are concerned, you give yourself the power of reappointment and as far as the State Commissions are concerned, it is a fixed term. There is a mismatch between the two. I do wish that the hon. Minister will look into this and ensure that this particular anomaly is rectified.

There is yet another aspect that I wish to bring to the notice of the hon. Minister and that is that by now, at least, eight State Governments have already passed appropriate legislations in this sector.

[THE VICE-CHAIRMAN (SHRI SANTOSH BAGRODIA) in the Chair]

I had the benefit of looking at some of those legislations and I must confess that a lot of them are exceptionally forward-looking. Therefore, we must commend the State Governments if they are also moving forward in this sector with the same kind of open-mindedness to bring health to this

particular sector. I do believe that some of the provisions of this law - and this is a legislation under the Concurrent List - when this law is passed will naturally override the provisions of some of those State laws which are, in fact, more progressive. I am a little worried that because of that some of those State laws will have to be rolled back in a sense to make them to be in conformity with the this law which will be counter-productive because some of those State laws are indeed extremely progressive and the Standing Committee at page 331 has stated the following, "Keeping in view the federal structure of our polity, it would be appropriate that States are given enough flexibility to decide for themselves in the matter of a subject which is in the Concurrent List of the Constitution of India. Taking into consideration that a number of States have already taken action/steps in pursuance of their Reform Acts, striking down any provision of State Acts, which is inconsistent with the Central Legislation, may jeopardise and even derail the power sector reforms in the States concerned and pose serious practical problems. The Committee, therefore, desire that a harmonious balance between the Central Legislation and the State Reform Acts be struck." This was the unanimous recommendation of the Standing Committee. We can take care of this by making a provision in this legislation saying, 'notwithstanding the provisions of this Act all the State Acts that are already in place shall be protected.' Their provisions shall be protected under the law. If you have it in the parliamentary legislation, then you may be able to protect some of those Acts. Therefore, I would request the hon. Minister to, consistent with the recommendation of the Standing Committee, have a look at this to ensure that the reforms at the State level are, in no way, derailed. A couple of other things and I have done. I just want to mention and flag this point that some of our Chief Ministers, who introduced major and very progressive reforms, especially, Assam and Punjab - in Assam as well as in Rajasthan the law had been passed and in Orissa, as you know, there is a very progressive Act - have contacted us and told us, "We are very worried about it because we have already moved ahead and if some of the provisions come in the way, it will be very difficult for us to carry on in that direction". So, particular attention should be given to this aspect of the matter.

There is another aspect with which the State Governments are concerned and it relates to the issue of captive power stations. As you know, because of the policy of open access, anybody can set up a captive power station. In other words, you can set up a station for your own

productive process or whatever you are manufacturing. But you have changed the definition of 'captive power station', since the matter went to the Standing Committee on Power. According to the provisions of the Bill now, if an entity sets up a captive power station and the power produced is primarily consumed for captive consumption, that entity is not liable to pay surcharge. I just want to explain the issue of surcharge. As you know, the Bill says that over the years we are going to do away with the subsidies because we can't do away with subsidies overnight. So, as a substitute to subsidy, when through the transmission lines power is supplied by the distribution companies, a surcharge is imposed, which is in the nature of a subsidy. It is a surcharge on high-tension consumers, on industrial units and that will work as a subsidy. But as far as the power plants for captive consumption is concerned, you have provided in the proviso to clause 42(2) that they will not have to pay any surcharge. I will just point it out to the hon. Minister. I am referring to the fourth proviso to sub-clause (2) of clause 42. This is what it says and I quote:

> "Provided also that such surcharge shall not be leviable in case open access is provided to a person who has established a captive generating plant for carrying the electricity to the destination of his own use."

Now, he is exempted from payment of surcharge. But, according to the Bill, he is also entitled to sell electricity. If he is able to sell electricity, he will sell it to a private consumer and that private consumer will also not pay the surcharge. Now, why should this benefit be given? Ultimately, this surcharge will be in the nature of subsidy. What will happen in the process? This is what our Chief Ministers have told us and I just want to place it before you. What will happen? Some of the most lucrative consumers of electricity, who have the ability to pay, will move to captive power plants for getting electricity and when they move to the captive power plants, they will be exempted from paying the surcharge. So, the State Electricity Boards, whom you have just bailed out, will be down the road and will be in the same situation as they were. We don't want it to happen. Therefore, I request the hon. Minister to take this into account and to give an assurance to this House that as far as the balance consumption of electricity by private entrepreneurs, which will be sold by the captive power plants, is concerned, to that extent the surcharge should still be levied so that the consumers do not move from the Boards and go to the

captive power stations. That is extremely important from our standpoint. Sir, just a couple of other things. I have already taken a lot of time. Now, I come to an important thing from the consumers' point of view. There are some clauses in this Bill, which are draconian, as far as consumers are concerned. There is open access to everybody... *(Time-bell)*. So far as consumers are concerned, some of my colleagues will look into those matters and point them out to you. But, what all I was saying is that the mindset which is part, the POTA mindset of this Government which is part of this Government's general mindset, seems to have crept into the provisions of this Bill, as far as ordinary consumers are concerned. I would like the hon. Minister, after some of my colleagues point out, to look into this matter.

When we talk about giving electrification to eighty thousand rural villages, there is nothing in this Bill, which caters towards that. Sir, as you know, when you give open access, that open access will come only in areas which are profitable; open access will come only in areas where there is industry, where there is capacity to pay. In the rural areas, there is no capacity to pay and, unfortunately, that task will have to be performed by the Government through the State Electricity Boards. There is nothing, there is no rural orientation in the provisions of this Bill to help those poor villagers whose children have to read their school books at night. That is fundamental to any civilized society, especially in an egalitarian society, which thinks and which feels for the poor.

I believe I have done. I only wish to say that I congratulate the Minister, I congratulate the Government for having brought this piece of legislation. We hope to pass it. But we hope that the Minister will be concerned and do something about the issues that I have raised.

Thank you.

श्री अजय मारू (झारखण्ड) : धन्यवाद, उपसभाध्यक्ष महोदय। सर्वप्रथम मैं माननीय विद्युत मंत्री और विद्युत राज्यमंत्री को यह विधेयक इस माननीय सदन मे प्रस्तुत करने के लिए बधाई देता हूँ और मैं इस बिल के समर्थन में बोलने के लिए खड़ा हूँ। हमारे देश के प्रधानमंत्री माननीय अटल बिहारी वाजपेयी जी के नेतृत्व में सरकार ने इस देश के लिए जो एक सपना उन्नत देश का, विकसित भारत का लिया था, उसका प्रमुख मुद्दा इन्फ्रास्ट्रक्चर, आधारभूत संरचनाओ को सजाने, संवारने से शुरू करने से था और इसी नीति के अंतर्गत हमारे देश मे सड़कों का जाल बिछाना, दूरसंचार के क्रांतिकारी कदम उठाना, देश की नदियों को जोड़ना और

बिजली उत्पादन में बढ़ोतरी करना, ये प्रमुख योजनाएं थीं। प्रधानमंत्री जी ने कई मौकों पर यह कहा है कि सरकार की यह प्राथमिकता है कि देश के सभी गांवों में वर्ष 2007 तक विद्युतीकरण हो जाए और वर्ष 2012 तक देश बिजली उत्पादन में पूर्ण आत्मनिर्भरता प्राप्त कर ले। जहां तक बिजली उत्पादन की बात है, यह काम इतना बड़ा है कि सिर्फ सरकारी बलबूते पर इसे पूरा नहीं किया जा सकता है। इसी को ध्यान में रखकर निजी भागीदारी के साथ विदेशी पूंजी निवेश की आवश्यकता महसूस की गई और वर्तमान विधेयक इसी दिशा में एक सार्थक कदम है। इस विधेयक की रूपरेखा तैयार करने का काम इस सरकार ने काफी पहले शुरू कर दिया था और उस समय के पूर्व बिजली मंत्री स्वर्गीय श्री रंगराजन कुमारमंगलम और पूर्व मंत्री सुरेश प्रभु जी ने भी इसके सुधार का काम जारी रखा था। मैं उन्हें भी इस मौके पर बधाई देना चाहता हूँ।

उपसभाध्यक्ष महोदय, हमें मालूम है कि विद्युत विधेयक काफी गहन अध्ययन और विचार-विमर्श के बाद तैयार किया गया है। इस विधेयक को अगस्त, 2001 को ऊर्जा की स्थाई समिति को भेज दिया गया था। उस समय इसे इलेक्ट्रोनिक और प्रिंट मीडिया के माध्यम से भी प्रचारित किया गया था। ऊर्जा की स्थाई समिति के जो सदस्य हैं, उन्होंने अधिकतर प्रदेशों की राजधानियों में जाकर वहां की राज्य सरकारों, वहां के औद्योगिक एवं वाणिज्यिक संगठनों, कर्मचारी संगठनों, विद्युत उत्पादन और वितरण करने वाले सरकारी प्रतिष्ठानों के सदस्यों, सभी से विचार-विमर्श किया था। जिन प्रदेशों की राजधानियों में स्थाई समिति नहीं जा पाई थी, उनके प्रतिनिधियों को दिल्ली आमंत्रित करके उनकी राय पूछी गई थी। महोदय, मैं भी उस स्थाई समिति का सदस्य था। समिति के अध्यक्ष माननीय सांसद श्री संतोष मोहन देव जी के नेतृत्व में समिति की कई बैठकें हुई और उन्होंने 112 सुझाव इसके लिए दिए थे, जिनमें से 89 सुझावों का समावेश इस विधेयक में किया गया है। यानी 80 प्रतिशत से अधिक सुझावों को स्वीकार कर लिया गया है।

उपसभाध्यक्ष महोदय, जैसा कि हमें मालूम है, वर्तमान में देश में बिजली के उत्पादन, ट्रांसमिशन और वितरण का कार्य तीन अधिनियमों से निर्देशित होता है - भारतीय विद्युत अधिनियम 1910, भारतीय विद्युत आपूर्ति अधिनियम 1948 तथा विद्युत विनियामन आयोग विधेयक 1998 । वर्तमान विद्युत विधेयक 2003 के पारित होने पर ये तीनों अधिनियम निरस्त हो जाएंगे। निश्चित रूप से यह विधेयक देश में बिजली की स्थिति में सुधार लाने में बहुत सहायक होगा। साथ ही इस क्षेत्र में पूंजी निवेश, प्रतिस्पर्धा और पारदर्शिता का मार्ग प्रशस्त करेगा। यह बताने की आवश्यकता नहीं है कि बिजली हमारे आर्थिक विकास का आधार है और देश ने इस क्षेत्र में काफी प्रगति की है। आजादी के समय जहां हमारा बिजली का उत्पादन मात्र 1,362 मेगावाट था, वह अब बढ़कर करीब एक लाख मैगावाट पहुंच चुका है। वर्ष 2012 तक इसे दोगुना करने का लक्ष्य है।

महोदय, अभी भी बिजली की जो खपत हमारे देश में है, उसमें हम सबसे पीछे हैं। हमारे देश में प्रति व्यक्ति बिजली की खपत मात्र 330 किलोवाट है, जब कि अमरीका में यह 8,743 किलोवाट, आस्ट्रेलिया में 6,606 किलोवाट, ब्रिटेन में 5,843 किलोवाट और हमारे पड़ोसी देश चीन में यह 719 किलोवाट है। जाहिर है कि हमें इस क्षेत्र में अभी काफी कुछ करना है। हम वर्तमान में जो बिजली उत्पादित कर रहे हैं, उसमें केन्द्र सरकार की भागीदारी करीब

30 प्रतिशत है, राज्य सरकारों की भागीदारी करीब 60 प्रतिशत है और निजी क्षेत्र की भागीदारी केवल 10 प्रतिशत है। हमें बिजली उत्पादन को बढ़ाना है और इसके लिए हमें निजी क्षेत्र की भागीदारी बढ़ानी होगी। इसके लिए हमें अपनी नीतियों को उदार बनाना होगा। मुझे खुशी है कि इस विधेयक में इसकी व्यवस्था की गई है। अन्य क्षेत्रों में निजी भागीदारी काफी बढ़ी है लेकिन पुराने कानूनो के कारण बिजली के क्षेत्र में निजी क्षेत्र का पूंजी निवेश नहीं हो पाया है। वर्तमान विधेयक पारित होने के बाद यह रुकावट दूर हो जाएगी और इसमें निजी क्षेत्र के पूंजी निवेश के साथ-साथ विदेशी पूंजी निवेश भी होने की संभावना है।

महोदय, वर्ष 2012 तक बिजली उत्पादन एक लाख मैगावाट बढ़ाने का जो लक्ष्य है, उसे पूरा करने के लिए जैसा कि अभी बिजली मंत्री जी ने बताया कि करीब 8 लाख करोड़ रुपयों की आवश्यकता होगी। सिर्फ सरकार यह काम पूरा नहीं कर सकती है। हालांकि इसके लिए बिजली मंत्रालय ने पहल की है। यह राशि काफी बड़ी है लेकिन मजबूत इरादों तथा योजना के साथ इसे पूरा किया जा सकता है। मैं यहां स्मरण दिलाना चाहूंगा कि माननीय प्रधानमंत्री जी ने जब स्वर्णिम चतुर्भुज योजना के तहत सड़कों के निर्माण का संकल्प लिया था तो उस समय उस योजना के लिए 60,000 करोड़ रुपयों की आवश्यकता थी। उस समय कई विपक्षी सदस्यों ने यह आशंका प्रकट की थी कि यह राशि कहां से आएगी? लेकिन मुझे यह कहते हुए प्रसन्नता है कि सरकार ने इस योजना को समय पर पूरा कर लिया है और यह राशि आ गई है। दूरसंचार के क्षेत्र में भी इसी तरह की क्रांति देखने को मिली है। मुझे पूरा भरोसा है कि 2012 तक अतिरिक्त एक लाख मेगावाट बिजली पैदा करने का लक्ष्य भी अवश्य पूरा होगा। जिस तरह आज हमें मांगने से टेलीफोन के कनेक्शन तुरन्त मिल जाते हैं उस समय तक जरूरत के मुताबिक बिजली की भी हमारी जो मांग है वह तुरन्त पूरी कर दी जाएगी। इस विधेयक में बिजली का उत्पादन जो एक लाख मेगावाट अगले 10 वर्षों में पूरा करना है इस पर विशेष ध्यान दिया गया है। अभी हमारे देश मे जो इंस्टाल्ड केपेसिटी है उसमें थर्मल पॉवर का योगदान 72 प्रतिशत का है, हाइड्रिल का 24 प्रतिशत का है, न्यूक्लियर पॉवर से बिजली 3 प्रतिशत होती है और विंड (वायु) से हम एक प्रतिशत बिजली का उत्पादन करते हैं। जैसा कि मैंने बताया कि वर्ष 2012 तक सभी को बिजली देने के लिए एक लाख मेगावाट के अतिरिक्त बिजली की आवश्यकता होगी। नवी पंचवर्षीय योजना मे जो लक्ष्य 4245 मेगावाट का था दुर्भाग्य से वह पूरा नही हो पाया। केवल उस समय 19015 मेगावाट ही हम पूरा कर पाए हैं। लेकिन दसवी पंचवर्षीय योजना मे यह लक्ष्य 41110 मेगावाट का किया गया है। मुझे विश्वास है कि इस विधेयक के पारित होने के बाद यह लक्ष्य प्राप्त किया जा सकेगा। थर्मल से जो विद्युत उत्पादन मुख्यतया कोयले से होता है लेकिन आज थर्मल से जो उत्पादन हमारे देश मे होता है उसमे बहुत कम ऐसे प्लांट है जो कोल पिट्हैड्स पर स्थापित किए गए हैं। इसके चलते जहां प्लांट हैं वहां से कोयले की जो ढुलाई होती है उसमे काफी खर्च होता है, उत्पादन लागत बढ़ जाता है। आज जिस प्रदेश -झारखंड से मे आता हूं वहां पर पूरे देश के कोयले रिजर्व का 33 प्रतिशत कोयला है। लेकिन वहां पर इस तरह का कोई प्लांट नहीं है । वर्ष 2000 मे माननीय पधान मंत्री जी ने वहां एक थर्मल पॉवर योजना नौर्थ कर्णपुरा का शिलान्यास किया था। लेकिन वह योजना अभी तक शुरू नही हो पाई है। मैं मानता हूं कि उसमे केन्द्र सरकार का कोई दोष नही है। वहां पर जो बांध का निर्माण और अन्य कई निर्माण किए जाने हैं वे कार्य पूरे नहीं हुए हैं। लेकिन इस तरह की कई और योजनाएं बननी चाहिए जिससे कोल पिटहैडस पर ही प्लांट स्थापित किया जा

सके और जो अभी हम कोयले का एक्सपोर्ट किसी दूसरे प्रदेश को करते हैं उसकी जगह हम पॉवर का एक्सपोर्ट करें। साथ-साथ हमारे जितने प्लांट थर्मल के हैं वहां हमें प्लांट लोड फैक्टर -पी0एल0एफ0 को भी बढ़ाना होगा। वह प्लांट के रखरखाव पर काफी निर्भर करता है, हमे उसमें सुधार लाना होगा और सुधार हुआ भी है। वर्ष 1992-93 में प्लांट लोड फैक्टर जो 55 प्रतिशत था वह 1998-99 मे 65 प्रतिशत हो गया और अभी प्लांट लोड फैक्टर को प्रति वर्ष 3 से 4 प्रतिशत और हमे बढ़ाना होगा। जहां तक जल विद्युत से बिजली उत्पादन का प्रश्न है इसमें हमारी सरकार को अभी काफी कुछ करना है। एक सर्वेक्षण के अनुसार हमारे देश के विभिन्न प्रदेशो में डेढ़ लाख मेगावाट हाइडिल इलेक्ट्रिसिटी का उत्पादन हो सकता है। पर अभी तक हम मात्र 24 हजार मेगावाट का उत्पादन जल विद्युत से कर रहे हैं। आज जल विद्युत का उत्पादन विश्व के देशो मे जहां होता है उसमें नोर्वे में पूरे विद्युत उत्पादन का 58 प्रतिशत जल विद्युत से होता है। स्विटजरलैंड में यह 55 प्रतिशत है लेकिन हमारे देश में यह 24 प्रतिशत ही है। आज अगर हम अरुणाचल प्रदेश का उदाहरण लें तो वहां पर 26756 मेगावाट बिजली का उत्पादन जल विद्युत से हो सकता है लेकिन मात्र 10 मेगावाट वहां पर हो रहा है। 90 मेगावाट की योजनाएं हैं लेकिन अभी वे पूरी नहीं हुई हैं। उसी तरह हिमाचल, जम्मू कश्मीर में भी यही हाल है। मेरे प्रदेश झारखंड में आज से बीस वर्ष पूर्व एनएचपीसी ने कोयलकारो परियोजना का शिलान्यास किया था लेकिन अभी तक वहां पर कार्य आरंभ नही हो सका है। इसमें भी मुख्य रूप से वहां पर पुनर्वास का जो मुद्दा है, उसको लेकर आंदोलन चल रहा है। हालांकि इसके पीछे कई स्वार्थी तत्व सक्रिय हैं। एनएचपीसी ने उस योजना में करोड़ों रुपए अभी तक वहां पर लगाए हैं और वहां की प्रदेश सरकार अभी भी यह आश्वासन दे रही है कि इस समस्या का समाधान हो जाएगा। मैं मंत्री जी का ध्यान इस ओर भी दिलाना चाहता हूं कि इस तरह की जो योजनाएं चालू हों, वहां पर पुनर्वास की समस्या का समाधान हमें पहले खोजना चाहिए। यहां पर मैं एक और बात बताना चाहता हूं कि हमारे बगल के देश चीन में जहां एक विश्व की सबसे बड़ी जल विद्युत की परियोजना आरम्भ हो रही है, जिसका नाम थ्री जॉर्जेज है, वहां पर 18 हजार 200 मैगावाट का एक प्लांट स्थापित किया जाना है और उस परियोजना के चालू करने में एक लाख लोगों के पुनर्वास की जो समस्या थी, सरकार ने मात्र तीन महीने में उस समस्या का समाधान कर दिया। हमारे यहां जो भी हाइडल प्रोजैक्ट्स लगते हैं, उसमें इस प्रकार की काफी समस्याएं आती हैं। सबसे बड़ी समस्या यह रहती है कि अगर केन्द्र सरकार कोई हाइडल प्रोजैक्ट बनाती है तो प्रदेश सरकारों को 12 प्रतिशत बिजली मुफ्त चाहिए जो कि एक बहुत बड़ी मात्रा है। मैं मंत्री महोदय से कहूंगा कि इसके लिए भी कोई समाधान निकालना चाहिए कि दस साल में उसको दो परसेंट, तीन परसेंट करके विद्युत मुफ्त देनी चाहिए। 12 परसेंट विद्युत मुफ्त देना बहुत बड़ी मात्रा हो जाती है। पुनर्वास, पर्यावरण, नए टाउनशिप को बसाना, बांधो को बनाना आदि कई ऐसी समस्याएं हैं जो जल विद्युत परियोजनाओं के चलते आती हैं और इसमें विलम्ब भी होता है। इसमे कैसे सुधार हो, इस विधेयक में इस संबंध मे कुछ जानकारी होनी चाहिए। जल विद्युत के उत्पादन मे लागत एक बार आती है लेकिन उसके बाद प्रति यूनिट जो उसकी प्रोडक्शन कॉस्ट है, वह काफी कम रहती है। हम जब ऊर्जा समिति की बैठक में चंडीगढ़ गए थे तो वहां हमे जानकारी मिली थी कि भाखड़ा व्यास योजना जो है, उसकी जैनरेशन कॉस्ट सिर्फ 12 पैसे प्रति यूनिट है। उपसभाध्यक्ष महोदय, जहां तक ग्रामीण विद्युतीकरण का सवाल है, मैं इस ओर आपका ध्यान दिलाना चाहता हूं कि बिजली नीति मे इसको भी एक महत्वपूर्ण अंश माना गया है। आज गांवो मे बिजली की आवश्यकता विलासिता नही है बल्कि यह एक अनिवार्यता हो गयी है। इस

विधेयक में यह प्रावधान है कि केन्द्र सरकार बिजली उत्पादन में कोयला, प्राकृतिक गैस, नाभिकीय पदार्थों और जल जैसे प्राकृतिक संसाधनों का अधिकाधिक उपयोग करे तथा विद्युत प्रणाली के विकास के लिए प्रदेश की सरकारों तथा प्राधिकरणों से परामर्श कर समय समय पर राष्ट्रीय विद्युत नीति और टैरिफ नीति तैयार करे। हमारे देश में करीब 6 लाख गांव हैं। आजादी के 55 वर्ष बाद भी 80 हजार से अधिक गांव ऐसे हैं जहां बिजली नहीं पहुंच पायी है। यह स्थिति तब है जब किसी गांव के एक घर में भी अगर केवल एक बल्ब मात्र जला दिया जाता है तो उसे एक विद्युतीकृत गांव माना जाता है। यह सिर्फ आंकड़े को अपने पक्ष में करने की एक कसरत है। इसे वास्तविक विद्युतीकरण नहीं कहा जा सकता। मेरे विचार में उसी गांव को विद्युतीकृत माना जाना चाहिए जहां कम से कम 25 से 30 प्रतिशत घरों में बिजली उपलब्ध करा दी गयी है। ग्रामीण विद्युतीकरण का लक्ष्य सिर्फ राज्य सरकारों के भरोसे पूरा नहीं किया जा सकता है। उनके पास न तो पैसे हैं और न ही अन्य संसाधन। इसलिए यह काम केन्द्र सरकार के सीधे नियंत्रण और देख-रेख में होना चाहिए। बिना बिजली पहुंचाए गांव के विकास की हम कल्पना नहीं कर सकते। महोदय, गांवों में कई ऐसे गांव हैं जहां ग्रिड के माध्यम से या ट्रांसमिशन के तारों के माध्यम से बिजली नहीं पहुंचाई जा सकती। पहाड़ों पर तथा जंगलों में ऐसे गांव हैं जहां बिजली पहुंचाना बहुत महंगा हो गया है। ऐसे गांवों के विद्युतीकरण का काम केंद्र सरकार को अपने हाथ में लेना चाहिए या फिर गैर-पारम्परिक स्रोतों और सौर ऊर्जा, गोबर गैस इत्यादि से विद्युतीकरण कराया जाना चाहिए। आज लक्षद्वीप में इसी माध्यम से बिजली पहुंचाई जा रही है। एक सर्वेक्षण के अनुसार बिना बिजली वाले 80,000 गांवों में से 18,000 गांव ऐसे हैं जहां सिर्फ नॉन कन्वेशनल एनर्जी स्रोतों से ही बिजली पहुंचाई जा सकती है। केंद्र सरकार ग्रामीण विद्युतीकरण के लिए उत्तर-पूर्वी राज्यों में 90 प्रतिशत तक तथा अन्य राज्यों में 50 प्रतिशत तक का अनुदान देती है। शेष राशि को भी राज्य सरकार ऋण के रूप में ले सकती है। केंद्र सरकार ने यहां तक घोषणा की है कि जो प्रदेश यदि एक निश्चित समय में अपने गांवों का विद्युतीकरण कर लेते हैं, तो उन्हें ब्याज में भी छूट दी जाएगी।

महोदय, यह प्रावधान भी है कि जो लक्ष्य है, उसे उदारीकरण की नीति के बाद और भी जल्दी प्राप्त किया जा सकता है। दसवीं योजना में भी 62,000 गांवों को इलेक्ट्रिफाई करने का जो लक्ष्य रखा गया है, उसे ग्रिड के माध्यम से पूरा किया जाएगा तथा 18,000 गांवों में 2011-12 तक नॉन-कन्वेशनल एनर्जी स्रोतों के माध्यम से बिजली पहुंचाई जाएगी। मेरे प्रदेश झारखंड में ग्रामीण विद्युतीकरण का बहुत बुरा हाल है। जो आंकड़े मुझे मिले हैं, उनके हिसाब से 31 मार्च, 2003 तक 29,336 गांवों में से मात्र 6,418 गांवों में बिजली पहुंची है। अगर यही गति रही तो मुझे नहीं लगता कि वर्ष 2007 तक हम इसे पूरा कर पाएंगे। आज भी असम के 5,640 गांवों में, उड़ीसा के 9,728 गांवों में और बिहार के 17,500 गांवों में अभी तक बिजली नहीं पहुंच पाई है। मैं आपके माध्यम से बिजली मंत्री जी से अनुरोध करूंगा कि...

उपसभाध्यक्ष (श्री संतोष बागड़ोदिया) : मारू जी, अगर आपको मालूम है तो आप यह भी बता दीजिए कि आपके झारखंड में कितने गांव डीइलेक्ट्रिफाई हो गए हैं? इलेक्ट्रिफाई होने के बाद पिछले एक वर्ष में कितने डीइलेक्ट्रिफाई हो चुके हैं?

श्री अजय मारू : महोदय, मैं यहां पर यह बताना चाहता हूं कि झारखंड बिहार से बना है और आज यहां पर बिहार से कोई भी सांसद नहीं हैं क्योंकि ये सब लालू जी की लाठी रैली में शामिल होने के लिए गए हैं। झारखंड दक्षिण बिहार का एक हिस्सा था और जब बिहार मे था तो दक्षिण बिहार से कितना भेदभाव किया जा सकता था, यह आप स्वयं समझ लीजिए कि पिछले 55 वर्षों मे 30,000 गांवों में से केवल 5,000 गांवों मे यहां बिजली दी गई। जब पिछले दो सालों मे झारखंड बना तब 1,300 गांवो मे बिजली दी गई है। बिहार द्वारा दक्षिण बिहार की उपेक्षा हमेशा की जाती थी।

महोदय, इस बिल के माध्यम से बिजली के डिस्ट्रिब्यूशन और ट्रांसमिशन को भी निजी क्षेत्र मे देने का प्रावधान है। इससे राज्य विद्युत बोर्डों को और मजबूती मिलेगी और कई अन्य प्रावधान भी इसमे दिए गए हैं। हम सब जानते हैं कि देश के सभी स्टेट इलेक्ट्रिसिटी बोर्डों का बहुत बुरा हाल है। ये कर्ज में डूबे हुए हैं और इसका मुख्य कारण टी एंड डी लासेज तथा चोरी है। टी एंड डी लासेज का मुख्य कारण तकनीकी है, खराब मीटर और जो मैनेजमेंट है, यह भी एक कारण है। आजादी के समय 1947 में जहां टी एंड डी लासेज 14 प्रतिशत था, आज वह बढ़ते-बढ़ते 30 प्रतिशत हो गया है। यह तो पूरे देश का औसत है और यदि हम प्रदेशों को लें तो दिल्ली मे यह 45 प्रतिशत है, उड़ीसा मे भी 45 प्रतिशत है और बिहार में यह 35 से 40 प्रतिशत है, जबकि विकसित देशो मे इसका औसत 8 से 10 प्रतिशत रहता है। अतः इसे विकसित देशो के बराबर लाने की आवश्यकता है। ट्रांसमिशन लाइन को दुरुस्त करने की भी आवश्यकता है और हमारे देश मे ट्रांसमिशन और डिस्ट्रिब्यूशन लाइन भी बढ़ाई जानी है। वर्ष 1998 तक पूरे देश मे 55 लाख सर्किट किलोमीटर लाइन लगाई गई हैं। जब बिजली का उत्पादन बढेगा तो इसे और बढाया जाना है। महोदय, इस बिल में बिजली की चोरी रोकने तथा बिलो का समय पर भुगतान करने के लिए भी जो प्रावधान बनाए गए हैं उनका मैं स्वागत करता हूं। प्रति वर्ष करीब बीस हजार करोड़ रुपए की चोरी होती है। सबसे पहले बिजली की चोरी रोकने का सख्त कानून अगर कही बना तो यह पश्चिम बंगाल मे बना और उसे लागू भी किया गया। वहां इसका परिणाम जल्दी ही आया। वहां बिजली चोरी मे गिरावट आई है। वहां बिल की वसूली भी काफी बढ़ गई है। पश्चिम बंगाल के अलावा अन्य कई राज्यों ने इसे लागू किया है। हाल ही मे जम्मू और कश्मीर का एक समाचार पढ़ने को मिला था। वहां पर बिजली के बिलों की वसूली बहुत ही खराब थी। वहां के सरकारी कर्मचारी ही सबसे ज्यादा बिजली के बिलों का भुगतान नही करते थे। उन्होंने एक कानून बनाया कि उन्ही सरकारी कर्मचारियों को वेतन मिलेगा जो अपने बिलो का भुगतान समय पर करें और नो ऑब्जेकशन सर्टिफिकेट लेकर आएं। यह सब जगह लागू किया जाना चाहिए। आज राज्य विद्युत बोर्डों को नुकसान का एक सबसे बड़ा कारण चोरी है। इस विधेयक के बाद राज्य विद्युत बोर्डो की स्थिति में सुधार लाने में काफी मदद मिलेगी। उपभोक्ताओं की ओर भी इस विधेयक मे विशेष ध्यान दिया गया है। इस विधेयक के खंड-43 के (एक) भाग में यह कहा गया है कि एक माह के भीतर उन्हें बिजली उपलब्ध करा देनी है और जहां पर बिजली नहीं हो या वे गांव जहां पर बिजली देनी हो, वहां पर यह प्रावधान किया गया कि 6 माह के अंदर उस विभाग को बिजली की व्यवस्था कर देनी है। खंड-56 (2) में भी मांग के संबंध में कहा गया है कि उपभोक्ता के हित में विधेयक में 2 वर्ष तक तक अगर वह बकाया नहीं वसूला जाएगा या बिल में वह नहीं दिखाया जाएगा तो बिजली बोर्ड उस बकाया की मांग नही कर सकते हैं। आज राज्य विद्युत बोर्डों की इतनी हालत खराब है, इसका एक कारण

यह है कि ये कर्ज में डूबे हुए हैं और प्रतिवर्ष उन्हे काफी नुकसान हो रहा है। राज्यों को करोड़ों रुपए केन्द्र सरकार को देने हैं। एक आंकड़े के हिसाब से वर्ष 2001-2002 मे कर्नाटक को छोड़कर सभी विद्युत बोर्ड घाटे मे चल रहे थे। नए विधेयक के आने से इसमें भी सुधार होने की आशा है। राज्य विद्युत बोर्डों को री-स्ट्रक्चर किया जाएगा तथा सुधार के कई कार्यक्रमों को चुनने का अधिकार होगा। अंत मे, मैं एक बात और कहना चाहूंगा जो पावर कंजर्वेशन की बात है। माननीय प्रधानमंत्री जी ने एनर्जी आडिट की बात एक विद्युत सम्मेलन में की थी कि पहले सरकारी उपक्रमों में, राष्ट्रपति भवन में, प्रधानमंत्री भवन मे और केन्द्र सरकार के सभी कार्यालयों मे एनर्जी, विद्युत की खपत को कम किया जाए। इस विधेयक के लागू होने के बाद प्रतिस्पर्धा के चलते ग्राहको को भी कम मूल्य पर बिजली मिलेगी तथा बिजली पूरी मिलने पर उद्योगों का जाल और बिछेगा और विकास की दर बढ़ेगी तथा रोजगार के साधन भी उपलब्ध होंगे। मैं इन्ही सब बातो के साथ इस विधेयक का समर्थन करता हूं। आपने मुझे समय दिया इसके लिए धन्यवाद।

SHRI P.G. NARAYANAN (Tamil Nadu): Mr. Vice-Chairman, Sir, the conceptual framework underlying the new legislation is that the electricity system in India must be opened to the private parties. It is well known that the State Electricity Boards in the country are facing financial difficulties. It is also well known that the factors that contribute to the problem of electricity sector can be attributed to theft, non-remunerative agricultural tariffs, production inefficiencies and transmission and distribution losses. The underlying aim of this Bill is to restore some semblance of economic viability to the power sector so that adequate investments are received in this sector for sustaining its healthy development. The Electricity Bill seeks to introduce competition in power supply to both bulk and retail consumers. Apart from the benefit of reducing the cost to the consumer, it will seek to reduce the impact of the loss-making State Electricity Boards and the entire system. The Bill provides among other things, payment of cross subsidy, surcharges to be stipulated by the Central and State Commissions as part of the compensation to the incumbent utility. On the other hand, it gives a fighting chance to the economic factor to rear its head. The crux lies in how the tariff is set by the regulatory regime. To address this issue the Bill provides for National Electricity Plan. Once every five years, based on the National Electricity Policy which would also contain a tariff policy. This Bill provides for uniformity in tariff setting across the country and lend a degree of certainty, as far as the different players are concerned.

Sir, power trading envisaged in the Bill is a major step forward. Metering, which is the cornerstone of this sector' reform programme, will be implemented in a timeframe based on the discretion of the various regulators needs deeper introspection.

The Bill, if implemented well, will bring several benefits. It will reduce tariffs to the industry and paying consumers, improve the industry's viability and relieve the huge burden shouldered by the paying consumers. It will reduce wastages and improve efficiency in the farming sector. It will also allow efficient producers of electricity to invest large sums of money in this sector, and spur and feed economic growth also.

Sir, so far as Tamil Nadu is concerned, Tamil Nadu has always supported reforms in the power sector. The Tamil Nadu State Electricity Board has taken steps to improve its performance, and I am proud to say that the Tamil Nadu State Electricity Board is among the most efficient Boards in the country. Our Chief Minister, Dr. Puratchithalaivi is fully committed to reforms in the power sector. Recently, she took a bold decision to stop the 30-year old practice of free power supply to the landlords. The landlords were misusing the facility meant for the weaker sections. The small and marginal farmers are taken care of by the Tamil Nadu Government itself which undertakes to pay the entire power dues of the small and marginal farmers. It is unfortunate that the Opposition parties, including the Congress, opposed this measure in Tamil Nadu. The Congress is ruling in 16 States in the country and no State gives free power supply to the agriculturists. But, the Congressmen in Tamil Nadu demand free power supply to big landlords. This dual role of the Congress Party should stop.

Sir, in this country, there are two groups of Electricity Boards. The Electricity Boards in the Western and the Southern India, by and large, are run efficiently. But the Boards in U.P., Bihar and some of the Northern Indian States incur chronic losses and don't pay for the power consumed from the Central power utilities like the NTPC, the NHPC and other similar Central agencies. The Centre, realising that the political power in this country flows from Lucknow and Patna, periodically provides massive assistance to these inefficiently run Boards in Northern India. Most of these power projects are set up in the Indo-Gangetic belt whereas there is chronic power shortage in Southern India. The Boards in Southern part of India, by and large, pay for the power consumed from the Central power utilities. But the NTPC and the NHPC are yet to set up a single power project in Tamil Nadu. Sir, 99 per cent of the power projects of the NHPC are again situated in Northern India. The Northern India Corporations are setting up power projects on coal belt. But the natural gas, which is used for generation of power and is produced in Bombay High is against sent to

Northern India. I do not know why gas should be sent to a place where there is abundant coal. The Southern India has no coal reserves but it is deprived of natural gas also. I would like to point out that these are highly discriminatory policies that were pursued during the Congress regime. The present Government should reverse this policy and see that power projects are set up in Southern India, especially in Tamil Nadu. No major power project has come up in the private sector for the last ten years. One or two projects like Enron have become sick. The Central Government has also not invested any funds in power projects. So, I foresee a major power crisis in the country in the coming years. I, therefore, demand that the Centre should step up investment in power generation projects in a big way, especially in energy deficient areas in the Southern part of India.

[THE VICE-CHAIRMAN (SHRI SURESH PACHOURI) in the Chair]

The natural gas stock in Godavari offshore is sought to be taken to Gujarat by a private company after giving small quantity to Andhra Pradesh under the garb of commercial considerations. Already the Western India is using gas from the Bombay High and South Basin oilfields in Gujarat. The private company, Reliance, should be directed by the Petroleum Ministry to meet the power demands of the Southern India exclusively. Thank you.

SHRI JIBON ROY (West Bengal) : Sir, we are to attend a major rally. ...*(Interruptions)*...

AN HON. MEMBER: The House should be adjourned. ...*(Interruptions)*...

श्री जीवन राय : मजदूर को नही मानते तो कम से कम मई डे को तो मान ले।

SHRI C. RAMACHANDRAIAH (Andhra Pradesh) : Since we are not going to complete the debate today...*(Interruptions)*...

श्री संतोष बागड़ोदिया (राजस्थान) : सर, इसलिए आप कृपा करके ...**(व्यवधान)**... मंडे को इसे ले लें। Tomorrow major rallies are going to be there. ...*(Interruptions)*... There are many other things. ...*(Interruptions)*... A lot of other things are there.

5.00 P.M.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Let me speak to the Ruling Party. ...*(Interruptions)*...

SHRI B.P. SINGHAL (Uttar Pradesh) : It was decided that the House will be sitting up to six o' clock. ...*(Interruptions)*...

SHRI C. RAMACHANDRAIAH: Sir, are you continuing the debate? ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI) : I want to know the reaction of the ruling benches. I will let you know.

श्री संतोष बागड़ोदिया : सर, कल भी छुट्टी है, फिर शनिवार और रविवार भी छुट्टी है।...**(व्यवधान)**...

[THE DEPUTY CHAIRMAN in the Chair]

उपसभापति : क्या हो गया? I saw it on television. ...*(Interruptions)*...

श्री जीवन राय : मैडम, कल मई डे है। साल में एक दफा जाते हैं। ...**(व्यवधान)**...

उपसभापति : घर जाते हैं, क्या होता है?

SHRI JIBON ROY : Tomorrow major rallies are there. ...*(Interruptions)*... We have to come back.

उपसभापति : रात की ट्रेन लेकर चले जाइए।

श्री जीवन राय : रात की ट्रेन से कैसे पहुंचेंगे?

उपसभापति : सुबह भी प्लेन जाता है। कल चले जाइए। ...*(Interruptions)*...

We have to do some work. Come on. Last Friday, we did not work. ...*(Interruptions)*... You do not want to work today because tomorrow is the May Day. ...*(Interruptions)*... We will work up to 8 O' clock. ...*(Interruptions)*... I am going to sit late. ...*(Interruptions)*... I can offer you

dinner. I will offer you dinner because there are only a few Members. So, there is no problem ...*(Interruptions)*... I don't offer to the entire House.

SHRI JIBON ROY: Madam, tomorrow, I have to address a public meeting because it is the 'May Day.'

श्री संतोष बागड़ोदिया : कल मे डे है और सबको जाना है।

THE DEPUTY CHAIRMAN: There is a flight to Kolkata at 6 O' clock in the morning and you can reach there by 10 O' clock in the morning. Then, you can have your 'May Day' celebrations.

SHRI JIBON ROY: Madam, by 6 O' clock, it will be over.

THE DEPUTY CHAIRMAN: Tomorrow 6 O' clock? ...*(Interruptions)*...

SHRI JIBON ROY: Madam, our rallies are in the morning.

SHRI C. RAMACHANDRAIAH: Madam, they have to organise the rallies.

श्री संतोष बागड़ोदिया : जब सारा अपोज़ीशन बोल रहा है, कुछ तो सुन लीजिए।

श्री जीवन राय : कल मजदूरों का दिन है। हम इलेक्ट्रिसिटी बिल के बारे में मजदूरों से बातचीत करेंगे।

THE DEPUTY CHAIRMAN: Just sit down...*(Interruptions)*... We will discuss it...*(Interruptions)*... We will have it now...*(Interruptions)*... Mr. Jibon Roy, please, sit down...*(Interruptions)*... The Finance Bill is being passed in the Lok Sabha. It will come up here and we have to take it up on Monday because it is an important business. Now, let us complete as much discussion as we can, on this. We have hardly spent any time on this. If you thought that this is very important, you could have asked the hon. Chairman in the morning, then we could have taken up this Bill first and we could have discussed the Calling Attention in the form of Short Duration Discussion in the evening. And, those who are interested would have waited for the debate.

SHRI JIBON ROY: Madam, how can you say that the Calling Attention is less important?

THE DEPUTY CHAIRMAN: No, no. But, this Bill is also important. See, the Calling Attention is important, so is this Bill. It is going to affect everybody. You hardly get power supply in Delhi. In some areas of Delhi, you get electricity hardly for five hours.

SHRI A. VIJAYARAGHAVAN (Kerala) : Will the hon. Minister assure us that there would be a regular supply after this Bill is passed?

श्री संतोष बागड़ोदिया : महोदया, इस पर 4 घंटे का समय है। आप शुक्रवार को इसे 12 बजे से ढाई बजे के बीच में ले लीजिए, खत्म हो जाएगा।

THE DEPUTY CHAIRMAN: You know how many amendments are there to this Bill? If you agree to withdraw these amendments...

SHRI SANTOSH BAGRODIA: Yes. We will withdraw our amendments.

THE DEPUTY CHAIRMAN: Even for withdrawal, I will have to call the names of the Members who have introduced their amendments.

श्री संतोष बागड़ोदिया : अगर सोमवार को होगा तो विदड्रॉ हो जाएगा, आज विदड्रॉ थोड़े ही होगा। आज लेंगे तो यह 10 बजे तक चलेगा।

THE DEPUTY CHAIRMAN: I need one-and-a-half hours to put through these amendments...*(Interruptions)*... Come on, let us not waste time ...*(Interruptions)*... By this time, you could have finished your speech ...*(Interruptions)*... Okay, Mr. Jibon Roy...*(Interruptions)*... Come on, you are an expert...*(Interruptions)*... Come on.

SHRI C. RAMACHANDRAIAH: Madam, I was supposed to speak earlier. But, I have sacrificed my turn for the sake of other hon. Member, since he wanted to speak a little early.

THE DEPUTY CHAIRMAN: Did you not speak?

SHRI C. RAMACHANDRAIAH: No.

THE DEPUTY CHAIRMAN: Now, you can speak.

SHRI C. RAMACHANDRAIAH: I thought that the House would adjourn.

SHRI JIBON ROY: Madam, how long are we going to sit?

THE DEPUTY CHAIRMAN: As long as we can. You know, you are a Member now. You do not want to sit late. At times, I had gone from this House at 5 o' clock in the morning.

SHRI JIBON ROY: Madam, kindly see the time. If you adjourn the House, we can catch 7.50 flight.

THE DEPUTY CHAIRMAN: I remember going from this House at 4 o' clock or 5 o' clock in the morning. How active we were. Now, we are becoming old or what? Come on. Let us finish it.

उपसभापति : रामचन्द्रैया जी, आप बोलिए। Let us finish as much as we can. Let us go about it. Mr. Ramachandraiah, you start your speech.

SHRI C. RAMACHANDRAIAH : Madam, power is such an important thing...

THE DEPUTY CHAIRMAN: Those who are sitting here definitely thinking that it is an important legislation. And, those who thought that it is not an important one, have left the House.

SHRI C. RAMACHANDRAIAH: After the introduction of so many amendments, how can the House think that it is less important?

THE DEPUTY CHAIRMAN: Now, let us continue with the discussion.

SHRI C. RAMACHANDRAIAH: Madam, power is a critical infrastructure in the economic development of our nation. It has a very good bearing on the quality of life in this country. To develop the country or any area - either we do agriculturally or industrially - the requirement of power is a very vital one. Still, according to the statistics that have been

given the country has to electrify nearly 80,000 villages, inclusive of four lakh hamlets. The hon. Minister, on a different occasion, while replying to a question, said that we require 1,42,000 mw of power by 2012 so that the difference between the demand and supply is bridged. But, we require more than Rs. 6,00,000 crores for it and we does not have the investment. We are unable to get the Foreign Direct Investment, especially in the power sector, thanks to the Enron episode. And, we have totally eroded the credibility of our sovereign country. In the Ninth Plan also, we had targeted for 48,000 megawatts, but we had revised it to 28,000 megawatts, and the actual achievement was 20,000 megawatts. In this connection, I am constrained to say that the mismatch between hydel power and thermal power is still continuing. In spite of the vast water resources that are available in the country - in the North-Eastern States, Himalayas, Westerns Ghats, Eastern Ghats - we still depend upon the thermal power, as if it is the last option. We have been using this indiscriminately, totally disregarding the future generations, to meet our requirements. This is a very alarming situation. The Government has to take note of it.

[THE VICE-CHAIRMAN, (SHRI SURESH PACHOURI) in the Chair]

We need investments in this sector. Today morning, I happened to ask the hon. Minister, since this Government is committed to achieve eight per cent growth rate, in consistence with that policy, what is the requirement of power that is needed, how the Government is going to achieve that target; what efforts have the Government been making? I could not get a reply, because he said, "I will give it in writing." Sir, India is an agrarian economy. Farming sector needs to be provided some subsidies. It is true and nobody can say that farmers cannot be provided subsidy in power. Due to all the neglect that farming sector has been put to by successive Governments, they are in a very miserable condition. The plight of farmers, in India, is very miserable. When such is the case, it is an undisputed fact that power has to be subsidised to a certain extent, but not to the extent that it destabilises the economy of the State Electricity Boards. This is what is happening. And, this subsidy, over a period of time, in a phased manner, has to be reduced. We have been collecting this subsidy, which is being given to the farming community all along, towards a cross subsidy, from industrial and commercial consumers. So, the industrial consumers have been paying more than the cost of supply. And, the vulnerable sections, like low-income groups and agriculturists, have been

paying less than the cost of the supply. So, we would collect this difference from the industrial consumers; and the State Government would bear a part of it. But in spite of that, due to the paucity of funds, due to the the fiscal position of the States, huge amounts are still due to the institutions, like the NTPC; because, they have been purchasing power from these companies. In this connection, I would like to emphasise that there should be a national policy on subsidy to the farming community. It should be according to the paying capacity of the respective Governments. The Central Government should also come forward to share the burden of the States. We have to welcome this Bill, because there has to be some uniformity in the tariff system, and the electricity boards should be made viable. And, the most important aspect is to introduce an open access system. It is very, very important. But I fully support Mr. Kapil Sibal in saying that there should be a time frame. Why are you hesitating to fix a time-frame? Having made a provision for it; after all, the entire structure of the reforms depends on this open access system. Why do you leave it to the discretion of the States again? So, let it be there, whether it is for two, three, four, or, five years. I fully support the amendment in this context, and I want that the Government should accept and incorporate it in this Bill.

I want to go to Clause 2 (a). The initial definition has now been extended to Group Captives by Cooperative Societies, or, Association of persons for generation and supply of electricity to its members. The term 'person' includes any companies or body corporates. This extended definition will lead to many users going out of the Licensee's network. For example, Association of persons can be established with a nominal shareholding; just by buying two shares or three shares in a cooperative body, you can become a member. And just to overcome the responsibility of paying the surcharge, you can become a member, and you can deprive revenue to the distribution companies. So, my suggestion is that there should be an amendment to this. You have to create a level-playing field; whether they use the infrastructure for wheeling the power or having their own network, and whether they sell it to the outsiders, or, to the companies under the same group, whatever, it may be, there should be a level-playing field. And everybody has got a social responsibility, they should contribute to the social cause for providing this cross subsidy. This has to be done up to a period where we can make the farmer sustainable, their profession is made sustainable in this country.

And clauses 4,5 and 6 provide for the responsibility to the appropriate Government to supply electricity to all areas including villages and hamlets. The State Electricity Boards, and their successor entities which are, mostly, Government owned, are the licensees in the areas of supply in the State, which includes urban, semi-urban, rural areas, villages and hamlets. What I am trying to say is that you allot these distribution companies for the areas which are lucrative, and the areas which needs infrastructure, where you have to supply power in rural areas, semi-urban areas, you cannot leave it to the mercy of those companies. Still the Government has got a responsibility. So, this aspect also has to be taken into consideration.

Similarly, even in the rural areas, private licensees will take licence to serve only those pockets which are remunerative. Naturally, people who are commercial-minded, or, companies which are doing business for profits, they, generally, select the places where it is remunerative.

And clause 64 of the Bill suggests that the tariff can be set only on an application by the licensee. This would mean that the licensee may not apply for tariff, if the revenue realisation is more than the revenue requirement. It is natural. If the efficiency gains in the system are achieved over a period of time, the electricity tariff in India should get reduced rather than increasing. Regarding the time-frame of open access, the Standing Committee has made a recommendation, and I quote: "This State Commission will decide within one year as to when they propose to introduce open access and they would be free to declare that open access which will be introduced only according to their convenience, say, 5, 10, 15 years." And you are giving leverage by the longevity of this time to choose their own nominees. So, let us have transparency, this is a field where we require utmost transparency, if you take into consideration the past experiences of liberalization that started in 1991. This is a control over State Commissions. How can it be allowed to have control over the State Commissions, and still claim that it is an autonomous, independent body? As Mr. Kapil Sibal said, how can a retired judge, being the Chairman of the Tribunal, control the institutions like Regulatory Commissions? This cannot be accepted because we are in transformation. Our entire economy is in transformation. We have to build up very, very effective regulatory systems in this country. Because of the inefficiency of the regulatory systems in the economic fields, the RBI, SEBI, etc. we have been facing all these scams in

the stock markets. Let us learn from that, and strengthen the regulatory system in this country. Let us not impose a super body to have superintendence and administrative control over these institutions.

One more thing which I could not understand is, no institution in this country can be totally independent and totally unaccountable to anybody. They have to be accountable. Sir, it being the supreme body of the country, they should be made accountable to the Parliament or the Legislatures, whether it is the State Commission or the Central Commission. The control of the Parliament or the Legislatures, statute making bodies, should be there, and their Annual Reports have to be submitted; their performance has to be reviewed by the Parliament periodically.

Sir, this is, in fact, one aspect which affects the spirit of federalism. In the relevant clause, I am not getting the number, it is mentioned that it will supersede the State Reforms Commissions. I do not know the purpose for which this provision has been incorporated. If the provisions of the Central Act are inconsistent with the provisions of the State Acts, you have made an enabling provision that the provisions of the Central Act will prevail. If such is the case, kindly think what is the necessity of having the State Reform Acts. So, everything should have been provided in the Central Act. Basing on the recommendation.....

SHRI KAPIL SIBAL: Mr. Ramachandraiah, it is clause 174.

SHRI C. RAMACHANDRAIAH: Thank you, Sir. Clause 174, virtually, supersedes the State Reform Acts. In fact, Andhra Pradesh and several other States have got their own Reform Acts, and, very effectively, they have been making the fixation of tariff, taking care of all the stakeholders in this particular field. So, what I am trying to say is, you cannot strike down any provision of the State Acts because they are inconsistent with the provisions of the Central Act. This goes against the spirit of the federalism and it will have a damaging bearing on the federal spirit of the country. Kindly reconsider it and this has to be removed. *(Timebell)* Sir, I will conclude with one suggestion. All consumers in subsidy category must contribute to the wheeling/distribution surcharge which they are receiving either from grids supply or from third party sale or from the captive power generation, whatever may be the source of supply. They have got a social responsibility. They should contribute to the social cause, cross-subsidy

has to be collected and it has to be reduced, over a period of time. Thank you.

SHRI JIBON ROY : Mr. Vice-Chairman, Sir, I don't know whether there is quorum in the House or not. No matter, I am speaking; but I doubt, quorum is not there. We are discussing such an important Bill in such a situation. This is my first observation.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Quorum is there.

SHRI JIBON ROY: Sir, I rise to oppose the Bill. I oppose it tooth and nail. I oppose it from head to feet. I oppose the Bill here and I oppose it outside also. I am saying it because it is atrocious. ...*(Interruptions)*... You may laugh here...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Please do not interrupt him.

SHRI JIBON ROY: You may laugh here, but the final laugh lies with the people, not here.

Sir, I am also for constructive cooperation among the political parties, cutting across party lines. In fact, I do practice it in my life, in my area. But, that cooperation should be for the good of the people, and not to destroy the people. I am surprised that that cooperation which is taking place between the party in power and the main Opposition is, especially, particularly, in a single area, in the area of economics and economic reforms. And, I would say, "Thanks to that cooperation and the reforms." And, the globalisation is now picking a 'mad-rush'; madness, in the context of the peoples' interest, and, the rush, in the context of distributing the peoples' asset to a group of people who have clout. It is 'madness' and 'rush' together which have constituted the real position of the globalisation and economic reforms today. Sir, everybody is its beneficiary today, except the common people, and the loser is the Indian democracy. The matters of policy decisions have now become the prerogative of the elites only. This side and that side meet together and decide something, others are superfluous today. Even the barons of the Press also, barons who control the Press, take care to see to it that any opposition to the reforms or

globalisation does not come to the Press, come to the people. This is a tragic situation today to which I draw the attention of the House this evening. Of course, nobody is here; Press do not say; Members do not stay. Who will hear? Sir, the thing is that during the last one year, we have passed almost hundred Bills, enacted hundred Acts on economic reforms and globalisation. But the people of our country do not know as to what Bills are being passed. Sometimes, I wonder whether the Ministers who introduce these Bills know about the names and contents of those Bills. Madam, I wonder whether these Bills are prepared in India or abroad, and then they place these in this House. Sometimes, this is what I sometimes feel.

Sir, on the last day or on the penultimate day of the last Winter Session, we have passed a Bill withdrawing the concept of subsidy, and, we have said, "Everything which is being produced, services and goods should be sold on profit and not below the cost of production, from hospitals to school, everything." People do not know what we have passed. I wonder whether we all know what we have passed. Now, Sir, we are passing a Bill, and its immediate effect will be the curtailment of, at least, seven lakh jobs of workers who are working in the State Electricity Boards. Out of that seven lakh, 50 per cent duty posts comes from the backward castes and the weaker communities. I am afraid that all the social justice parties are working with the ruling combine. They feel for everything except the social justice to the common people. Sir, seven lakh duty posts -- I am not talking about the retrenchment -- will be abolished, out of which 50 per cent posts are filled up by the workers, by the people coming from the backward classes and weaker communities of the society. You speak cohesively. One word should link with the other word. You said that "the objective of the Bill is to universalise the use of the electricity. Everybody should get electricity after the Bill is passed. Everyone should get electricity after the Bill is passed." Seventy per cent people in rural areas and 24 per cent in urban areas are not getting electricity. You will withdraw subsidy, but, at the same time, you should give low-cost electricity to all the people? Why do you make a mockery of it? You speak straight in straight words. Today, people are held to ransom because of the political reality and political combination that is working in our country today. Everybody will have to answer. You may laugh at me here in this House today, but you will have to answer outside tomorrow. If the objective is to improve the electricity generation system, that is one thing; but by curtailing subsidy, you

cannot do good for the people. Thirty-five percent people are illiterate in our country. They do not get light. If they do not get light, how can they get educated? Subsidy has to be given. It is a fundamental thing. Rich people should pay something for the poor people. If poor and rich are treated as equal, if chicken and elephant are treated as equal, then there is no democracy at all. Subsidy has to be given and you have to work on the matter. If you break everything, no subsidy can come. Practically, you have worked out the entire Bill in such a way. that subsidy to the poor people goes in a phased manner, the entire thing goes in favour of the rich community, contractors and others. But if you say that you want improvement of power supply, yes, then you have to improve the plant load factor. -The plant load factor is improving, but, at the same time, you have to reduce the theft. You have to eliminate operation problems. At the same time, you have to work in a bigger, broader and planned way. Till now, in no Five Year Plan, planning is made and order is placed for the entire five years. As a result of this, in no Plan, the cost of investment has increased, and orders were given to the BHEL and others in piecemeal. If you give order at a time for the entire Five Year Plan, you will get result. Plant load factor cannot be improved or it can be only slightly improved beyond the 70 per cent which you have, if you improve the quantum of the hydro-electric section. The perfect situation of hydro-electric section and thermal power section is 60:40. If you give 40 per cent hydro-electric power and 60 per cent thermal power, then plant load factor can be improved. Hon. Member has said that hydro-electric component is only 24 per cent. Therefore, don't blame saying that now reform has come, globalisation has come and you have to redistribute Indian asset to a crowd of people. It is a separate thing. I do appreciate your position. In India, we are leading in corruption. Our position is probably 35th or 36th in the world so far as corruption is concerned. There will be no controlling power. Everybody will come and start generating factory, transmitting factory and distribution factory. You have cut the hands and limbs of the Central Electricity Authority, and you are controlling everything from Shram Shakti Bhawan. It means, you have handed over the entire system to a group of * and contractor. This is madness. It is sheer madness. Who will distribute power to the villagers? The panchayats will distribute power, the NGOs will distribute power! They cannot feed themselves. Sometimes while travelling through roads when we go to villages, we find that panchayats are blocking

* Expunged as ordered by the Chair.

roads and collecting taxes for the maintenance of roads. Why do you make the people fools? You are laughing when I say that I am opposing it. The panchayat cannot do it. You are withdrawing yourself from rural electrification. It will happen. When globalisation and liberalisation take place, two fundamental things happen. The democracy gets passed into the hands of the elite. You are passing it to them. Two persons from here and two persons from there discuss things and settle things. There should be an end to it. You can't continue it perpetually. You have taken the media in your hands. There are media blackout and all other things. You can sustain all these things for some time, but not for long. You can't have the entire control of the State. The State is directly responsible and liable to the people at the ground level. And the State has no power! Would you accept my amendment that State should also be consulted in regard to power? Would you accept it? No. It is the law of globalisation and monopolisation that economic power should remain in the hands of the Centre and it should cut down the States like goats. You are doing that. Three cheers for the Electricity Ministry and three cheers for the cooperator, between the party in power and the cooperating party in the Opposition. You are talking that it will help and you have given full freedom that anybody can start a power station. ...*(Interruptions)*...

SHRI DINESH TRIVEDI (West Bengal) : He wants a monopoly in West Bengal. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Please don't disturb. No interruption. ...*(Interruptions)*...

SHRI JIBON ROY: I will circulate your speech. ...*(Interruptions)*... I will circulate your speech on the Electricity Bill in West Bengal. You will face the music. ...*(Interruptions)*... We will circulate your speech to every people in West Bengal and you will face the music. ...*(Interruptions)*... Do you understand the implication? ...*(Interruptions)*... Understand the implication, if everybody is allowed to set up a power station. There is no control. The CEA is not there. Anybody can put any machine and make use of it. Accidents will become a daily phenomenon. ...*(Interruptions)*... Ahluwaliaji, I am connected with steel. One day in Bhilai the entire system collapsed. Why did it collapse? The frequency in the electricity line got mixed up. And you bring every *chotu* and *motu*, who will generate power and enter into the same common grid. You have said that those who will

be the owners of the captive plants will generate power. They will cooperate among themselves. All the industrial houses in the area will come together and cooperate for having a common power station, and they will have free passage. Immediately, all the existing power stations run by the NTPC will collapse.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): The word * is unparliamentary. It will not be part of the record.

[THE DEPUTY CHAIRMAN in the Chair]

SHRI JIBON ROY: Sometimes, I speak unparliamentary words without knowing. I don't know what it is.

The point is this. Why should the captive power stations get common line with the general grids? It is because they are owned by the nation today. But the poor have nothing. They have no political forum to speak. The workers have no place in our system. Therefore, captive power producers need not pay the surcharge. They will be happy to have a common line grid connection, and they will cooperate among themselves to bring down the NTPC. Is it not so?

THE DEPUTY CHAIRMAN: Mr. Jibon Royji, there are hardly any people in the House. There is no need to express yourself so loudly.

SHRI B.P. SINGHAL: Madam, the television is working. ...*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN: What is this, Madam? ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: It is between Mr. Jibon Roy and me. ...*(Interruptions)*... He does not mean that. ...*(Interruptions)*... Please don't take it in that spirit...*(Interruptions)*... Don't get agitated all the time. ...*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN: It is totally uncivilised remark. ...*(Interruptions)*...

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* Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: Okay, it is not an uncivilised remark. ...*(Interruptions)*...

SHRI A. VIJAYARAGHAVAN:It is a totally uncivilised remark. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: We sit so late. Let us have some humour in the House. Let us release some tension. I was telling Mr. Jibon Roy that everybody can hear him and there is no need to give so much stress in his voice. I feel sorry for it. That is it. Nothing else. Now, if you conclude, I will adjourn the House.

SHRI JIBON ROY: Madam, you know, I am the lone Member opposing. Sometimes, that creates a psychological pressure. I am poor in English. Everybody knows it.

THE DEPUTY CHAIRMAN: You speak good English.

SHRI JIBON ROY: Therefore, sometimes when I speak emotionally, one should not laugh. Whenever I speak, I speak emotionally. Madam, my point is that, you will pass the Bill. We will be passing this Bill. I do believe, everybody of us is patriotic, nobody is anti-national and all are nationals. Sometimes, we work under constraints. Political constraints, ideological constraints are there, and, I entirely agree with Shri Kapil Sibal that we have to find out some ways and means -- I think the total cooperation may not be possible for the time being -- to bridge the gap in our minds and see that the entire nation could be carried on. In the end, Madam, this Bill will have a disastrous effect in politics, in economy, everywhere, and I wish to place it on record. Mr. Minister, I will tell you why we will not agree to a separate corporation or a separate system for the rural electrification. Do you believe seriously; you tell me outside, not here, that this Bill will do justice to millions of poor in the rural areas?

I am for the curtailment of the subsidy to the farmer to a level. But I want hundred per cent literacy. Not a single kid in our country should say because of the absence of light, I do not get food and that is why I do not read.

Madam, in my early periods of life, I read under the street-light. That is why, I know how the common people, children and kids suffer in the countryside. Please see, at least. You will pass the Bill. Whatever amendments I have given and other Member have given will be defeated. But, I would humbly submit to reconsider, at least, the aspect of the rural electrification as to how it can provide light to everybody. Thank you.

THE DEPUTY CHAIRMAN: Now, if the House so agrees, there is one more speaker from the DMK Party, who would like to speak.. You have seven minutes. You can take ten minutes. ...*(Interruptions)*... He is the last speaker. I have to accommodate.

SHRI R. SHUNMUGASUNDARAM (Tamil Nadu) : Madam, is it true somebody insists that I should speak now?

THE DEPUTY CHAIRMAN: I do not mind if you also speak. I have no objection. ...*(Interruptions)*... Yes, your name is there. Let him finish. Everybody's name is before me. Nobody's name is being deleted. ...*(Interruptions)*... Even if we stop talking now, we can always have it again on Friday. In any case, it is not that I am closing the debate. You misunderstood.

SHRI R. SHUNMUGASUNDARAM : Madam, I thank you for giving me this opportunity to speak on the Electricity Bill, 2003. It is a very comprehensive legislation which is going to replace the Act of 1910, nearly a century old Act. The aim of bringing forward this Bill, as stated by the hon. Minister, is to achieve 1,40,000 megawatts of power, at least, by 2012. But the route which the hon. Minister has proposed to take, I have my own doubts, whether it would be safe because this Bill is going to delicense both generation as well as distribution. Now 70 per cent of the generation units are State-owned and 100 per cent distribution units are also State-owned. This Bill gives way for the transfer of the State-owned generation and distribution units into the hands of the private sector. That is why, my friend, Shri Jibon Roy, was very much agitated. When this Bill gives scope for giving these units into the hands of the private sector, there are certain dangers in it and these dangers are not without any doubt. I also apprehend that these dangers will be there. If this Bill gives way for private players to get into generation and distribution units, I apprehend, it will have two consequential affects. One, it will affect the persons who are already

employed and the number of employees is expected to be nearly 10 lakhs. It will also affect the dream of any Government to achieve 100 per cent rural electrification. The hon. Minister in his speech has also stated that 50 per cent of the population in India alone enjoys supply of power. How is this 100 per cent electrification of rural villages in this country going to be achieved? That is foremost in the mind of the Government. The Minister says that our effort would be to give at least one bulb to every village. The hon. Member from the BJP also said that we should not be satisfied with just giving one bulb to a village. When private sector comes into generation and distribution, it would become very difficult to achieve 100 per cent rural electrification. Clause 6 of the Bill provides "The Appropriate Government shall endeavour to supply electricity to all areas including villages and hamlets." How is it going to be implemented? It will be on the Statute Book. It would be like a Directive Policy. How will it be implemented? What are the plans to implement it? Will the private sector which is interested only in commercial viability, be interested in achieving 100 per cent rural electrification? Apart from villages which require 100 per cent electrification, there are certain very deserving consumers in the country who need to be given subsidy. And, one such category, as my hon. friend, Shri P.G. Narayanan, indicated that in Tamil Nadu, agriculturists were enjoying free supply of power for the last 30 yea rs. That is true. Shri P.G. Narayanan also said that agriculturists in Tamil Nadu were enjoying free supply and the present Government has discontinued that...*(Interruptions)*...

SHRIMATI S.G. INDIRA (Tamil Nadu) : No, Madam, he is misleading the House, the present Government is continuing...*(Interruptions)*...

SHRI R. SHUNMUGASUNDARAM: I am only reiterating what Mr. Narayanan said that for 30 years, free supply was given in Tamil Nadu and that has now been discontinued.

SHRIMATI S.G. INDIRA: Madam, he is giving wrong information about the Government of Tamil Nadu...*(Interruptions)*... Government of Tamil Nadu has taken the responsibility to pay for the lower level farmers. We are giving free current to the affected lower level farmers and not the higher level landlords. That is what he has mentioned and that is also...*(Interruptions)*... He is giving wrong information.

SHRI R. SHUNMUGASUNDARAM: Madam, what Mr. Naryanan said is there on record. We don't require any commentary from anybody.

SHRIMATI S.G. INDIRA: Free supply is being given to poor agriculturists and poor farmers and not to the landlords or higher-level farmers.

SHRI R. SHUNMUGASUNDARAM: There are no landlords in Tamil Nadu.

SHRIMATI S.G. INDIRA: The Government of Tamil Nadu has taken the whole responsibility. Our hon. Chief Minster has assured that we will pay for the lower level farmers...*(Interruptions)*...

THE DEPUTY CHAIRMAN: You know, why did I come to sit on the Chair. Because I knew that Member from DMK is going to speak. Now, please confine yourself to national power...*(Interruptions)*...

SHRI R. SHUNMUGASUNDARAM: Madam, I am only repeating what Mr. Narayanan said. I am not speaking anything on my own.

THE DEPUTY CHAIRMAN: I will look into the records of Mr. Narayanan's speech and I will see whether it is the same. I will look into it.

SHRI R. SHUNMUGASUNDARAM: Madam, after land reforms, there are no landlords, all are small farmers and all have been enjoying free supply of power. That has been discontinued now. That is what Mr. Narayanan admitted...*(Interruptions)*...

SHRIMATI S.G. INDIRA: And, we are not at all...*(Interruptions)*... At that time, they were in power.

SHRI R. SHUNMUGASUNDARAM: Madam, now, I would like to shift to other topic.

THE DEPUTY CHAIRMAN: I would be very happy if you can come out from Tamil Nadu to national level.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Madam, Government of Tamil Nadu...*(Interruptions)*... The speaker has yielded for me. The Government of Tamil Nadu has issued a White Paper in which they say that

Rs.250 crores have actually been allocated for farmers. Now, in the present Budget, they say, Rs.100 crores will be given to the farmers directly, which means. ...*(Interruptions)*... Electricity should be given free to the entire farmer community. Then, they should be compensated through Budgetary support to the State...*(Interruptions)*...

SHRI S.S. ABLUWALIA (Jharkhand) : Madam, I have a small suggestion. They should have a separate discussion on this subject in Tamil Nadu Assembly...*(Interruptions)*...

THE DEPUTY CHAIRMAN: All right, would you please finish because now your time is over? I cannot ring the bell now because I have been trying to wind up.

SHRI R. SHUNMUGASUNDARAM: Madam, about the free supply of power, I don't want to repeat it; free supply to farmers has been discontinued; that is on record. Now, Madam, about the State Regulatory Commission, their powers are provided under this new Bill and what the States' Regulatory Commissions have to do, that is also spelt out clearly. And, clause 108 of the Bill which says: "If any question arises as to whether any such direction relates to a matter of policy involving public interest, the decision of the State Government thereon shall be final." Therefore, the Government has come out with a clear-cut provision which says that whenever the State policy and the recommendation of the Commission go contradictory to each other, the State policy must prevail. And, the Regulatory Commission in Tamil Nadu, which has recommended discontinuance of power, has put down the policy of the then State Government which was always wanting to supply free power. Thank you very much, Madam.

THE DEPUTY CHAIRMAN: Shall we continue till 6 o' clock? I will call one more speaker.

श्री सुरेश पचौरी : आप ही ने बोला था कि ये लास्ट स्पीकर हैं।

THE DEPUTY CHAIRMAN: I said it. But I can withdraw it. It is my own statement. I am asking you if we can allow Mr. Ekanath Thakur till 6 o' clock.

SHRI JIBON ROY: Madam, till what time are we going to carry it on?

THE DEPUTY CHAIRMAN: I have no disagreement on this that it is late. I also know that people have to catch their flights. But the point is, if I stop the discussion now, I would still need one hour and 45 minutes, if I go strictly by time, to conclude the whole debate - some time for the Minister to reply and for me to have one hour for getting this whole thing passed. So, it is up to you. If we decide that we will finish it on Friday, I will be very happy to adjourn now...

SHRI JIBON ROY: We cannot have it on Friday. We have to attend a major rally tomorrow...

THE DEPUTY CHAIRMAN: We have to do it on Friday. Let us have a deal. Either do it today or do it on Friday.

SHRI JIBON ROY: Madam, we are 300 kms. away from the metropolis. We are reaching there only tomorrow, and we cannot take the flight the day after tomorrow morning.

THE DEPUTY CHAIRMAN: Let me complete some of the speeches now. Mr. Ekanath Thakur.

SHRI EKANATH K. THAKUR (Maharashtra): Madam, I rise to support the extraordinary and a historic Bill presented to this highest body. This is a unique Bill and will go down in the history of india as a reformist Bill of far-reaching consequences.

As far as the problem of power and the entire issues associated with it are concerned, it is a hydra-headed problem, and the Bill seeks to address that problem in one single effort. Naturally, a few of these issues may have been left out, or, may have been blurred, or, may need amendments. But, as an effort, this Bill will make a legislative history; I am sure about it.

Madam, I am, particularly, happy that this sector which languished for the last 50 years and created insurmountable problems for the whole country needed leadership of the best quality. And, I would, in particular,

like to compliment the hon. Power Minister Shri Anant Geete for the very many reasons he had stated for the introduction of this Bill. I am happy that this Bill is being piloted by a Minister, who is known for probity of conduct, integrity of character, sincerity of purpose, and who is a man with affairs of consumers at his heart. I am not saying this because he is from my party. I am also happy, because, in the drafting of this Bill, a professional like Mr. R.V. Sai, who knows the power sector like the palm of his hand, is involved. Madam, this is a gargantuan effort and, when the Bill is passed, I am sure it will not only try to dispel darkness from our villages, but it will also dispel darkness from much of our national life. It will be eventually known as a victory of our democracy, a victory of our polity, a victory of this nation, a victory of the will of this nation, not only to survive, but to prevail.

Madam, there are several reasons for bringing forward this Bill which have been mentioned, and I do not want to waste the time of this House in repeating the many issues, the many problems that have bedevilled our power sector, that afflict our power development as an electricity industry. I also do not want to take time because many of these problems have been mentioned by every Member of this House, and the House comprises people with great learning, great scholarship, great erudition. Therefore, I need not speak of the many problems like capacity shortages, low investments in generation, transmission and distribution, the subsidised tariffs which lead to losses which are about 1-1/2 per cent of our GDP, though they happen to be the highest tariffs in the world, the transmission and distribution losses which run to about 22 per cent, the broad daylight robberies and thefts which have come to notice from time to time and the day-to-day losses of the State Electricity Boards and their peculiar position today. The Maharashtra State Electricity Board is incurring a loss of Rs.5 crores every day. And such is the story that if all the Boards are put together, the losses have exceeded Rs.1,00,000 crores. The unreliability of the grid and the poor quality of power, are all to be addressed. Now, the preamble mentions that the Bill's objective is to consolidate the laws relating to generation, transmission, distribution, trading and the use of electricity and, generally, taking measures conducive to development of the electricity industry, promoting competition therein, protecting consumers' interests, supply of electricity to all areas, rationalisation of electricity tariff, ensuring transparent policies regarding subsidies, promotion of environmental policies and introducing competition and efficiency.

6.00 P.M.

In this background, I have only a few observations to make. The Bill is well-intentioned. The effort is massive. But we have to go by the experience that the world has had in this regard. And while I support every clause of the Bill, I caution the Ministry of Power and all those who are involved in getting this Bill passed, that the passing of this Bill is only the first stage. When we pass the Bill, it will open up a very big, a very huge challenge before us. That is why I placed credence in the name of the hon. Minister and in the name of the esteemed Secretary of that Department because I believe a new challenge will be created before the Power Department of the Government of India. And that challenge has to be seen percipiently, with intelligence, with foresight and with vision. I say this because a similar legislation was enacted, and a similar reform was brought about, in the United Kingdom in 1987. The objectives of that Bill were the same, and the results they wanted to achieve were similar. The results that were mentioned in 1987 in the British reforms was the introduction of the wholesale electricity market, which is what we are trying to do now; that was number one; secondly, it was the introduction of retail competition for the benefit of the final consumer. That is also the objective of our Bill. The third objective of the British legislation was the introduction of the four separate corporate sectors in generation, transmission, distribution and retail supply and trade. Our Bill also has the same objective. The fourth objective is the privatisation of the public-owned companies, competition and efficiency - which is also the objective here - and speedy redressal of grievances and free access. Madam, our Bill speaks of the same things that the British Bill spoke and the results that were to be secured are also similar.

Madam, I will now highlight what has happened in Great Britain today. But, before that, I will touch upon one aspect, which esteemed Shri Kapil Sibal touched upon, and that is for his information. He may try to enlighten us further on this, that is, the open access. Madam, the 1987 reforms in Great Britain also promised open access. But even the British Government, a unified Government, a professionally better-managed Government, did not bring about open access in a time of one or two years. In the first year, they gave open access to 5000 units, large units, which utilised one megawatt of power and they found that even giving open access to 5000 units created massive problems. In the second year, they

gave open access to 500000 units which required more than about 100 kilowatts of power, and for giving open access to all, it was done in 1997. With the British effort and British focus, it took ten years because open access entails a whole lot of multi-disciplinary activities on the part of those who want to provide open access. People think power is a universal utility. But, Madam, this House, at least, in its enlightenment, should note that power is a networking commodity and, unless we know this nature of power -- that it is a networking commodity -- and when we go in for separation of generation, transmission, distribution, sale and despatch and delivery, it creates enormous amount of problems of networking and linkages. *(Time-bell)* Madam, I have taken only four minutes so far.

SHRI KAPIL SIBAL: For your information, this Bill talks of only one megawatt of power. Therefore, it is not that open-ended, one megawatt of power in a period of three to five years. This is just for your information.

SHRI EKANATH K. THAKUR: Okay. Now, I come to the second issue. Madam, I will take up on one issue. I have plenty of issues, but I have got only one minute. So, I will take up only one issue.

Madam, out of 5,87,258 villages, 78,240 villages are without electricity. That is known. But, out of these, according to the Gokak Committee, 18000 villages are such villages which are remote and inaccessible. And, at least, for those villages, we have to have a different policy than the policy that is envisaged in this Electricity Bill because renewable power, by its very nature, is going to be very expensive. Therefore, for those 18,000 villages, which are inaccessible, local plants will have to be erected, and that issue has to be seen in all its seriousness.

THE DEPUTY CHAIRMAN: Would you conclude now?

SHRI EKANATH K. THAKUR: Yes, I am concluding now. I am raising only one issue. Madam, the Lahoti Committee -- I am sorry, its Kohli Committee - the requirement of our power is one lakh megawatts and that transmission, distribution, delivery expense was expected to be about Rs.900 billion. From where we are going to generate these funds? We have all these mega projects. We have a river linking project worth Rs.5,60,000 crores, and Rs.900 billion for the power sector. Now, FIIs are unwilling to lend; then in the capital market today, there are no conditions; international funding agencies are not coming forward, and in this Bill, in the Preamble and thereafter, we are mentioning that the Government will not give any

Government guarantees, Government will not have any escrow arrangements. So, what will be the kind of financial arrangements which will be in place? Because, I believe, with all our internal sources, it will be difficult to generate 'Power for All by 2012'; we have to give power to every household. So, if this size of resources have to be generated, what would be the arrangement, what would be the infrastructure that would be in place for this purpose has to be seen.

Madam, I am concluding. I know you have been showing a lot of indulgence to me. I am only telling you one thing. Power trading was created as a separate entity in Britain also, and merely because of power trading, costs have gone up by 10 per cent. Now, are we having some kind of idea as to what would be the extent of additional cost because power traders are being created? This has to be seen.

Madam, there is only one point, and that is the last point: The open access and the reforms reduced the British cost of power by 35 per cent. I only want to mention this, and that 25 per cent benefit was passed on to larger consumers, and Britain today, in 2003, declares that for the smaller consumers, after the open access, the bill has gone up by five per cent. That means, the implementation of open access was done in such a way that larger consumer benefited by 25 per cent and smaller consumer is now bearing an additional cost of five per cent. Now, some of these loopholes, some of these booby traps have to be paid very keen attention on our journey to reform of power sector so that we bring light in every life, illumination in every life. Thank you, Madam, for your kindness.

THE DEPUTY CHAIRMAN: Thank you very much. Now, the whole House wants me to adjourn the House. So, I adjourn the House. We wish you all the best for the May Day, and...

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Madam, will it be continued on Friday?

THE DEPUTY CHAIRMAN: Yes, we will meet next month, that is, on 2nd May at 11.00 a.m.

The House then adjourned at nine minutes past six of the clock till eleven of the clock on Friday, the 2nd May, 2003.